

PART 4. STANDARDS OF CONDUCT

R 339.23403 Limited real estate appraiser; state licensed real estate appraiser; certified residential real estate appraiser; certified general real estate appraiser; authorized functions.

Rule 403. (1) If a limited real estate appraiser is properly qualified to undertake an assignment, a limited real estate appraiser may perform either of the following appraisal services, if the report is signed by a supervisory state-licensed, certified residential or certified general real estate appraiser, as specified in section 2607(7) of the act, who by virtue of signing the report, assumes full responsibility for the accuracy of the report content and conclusions:

(a) Appraise properties that are not federally related transactions or real estate related financial transactions.
(b) Assist a state-licensed, certified residential, or certified general real estate appraiser in the development of an appraisal for a federally related transaction or a real estate related financial transaction. The limited real estate appraiser shall not sign the report; however, the state licensed, certified residential, or certified general real estate appraiser shall acknowledge the specific contributions of the limited real estate appraiser within the appraisal report.

(2) If a state licensed real estate appraiser is properly qualified to undertake an assignment, a state-licensed real estate appraiser may perform any of the following appraisal services:

(a) Appraise properties that are not federally related transactions.
(b) Appraise 1 to 4-family residential properties, unless the transaction value is \$1,000,000.00 or more or the property is deemed to be complex and therefore required to be appraised by a certified residential or certified general real estate appraiser.

(c) Appraise nonresidential properties for federally related transactions and real estate related financial transactions where the transaction value is less than \$250,000.00.

(d) Assist a certified residential or certified general real estate appraiser in the development of an appraisal of a complex residential property or a nonresidential property that is the subject of a federally related transaction, as appropriate. The state licensed real estate appraiser shall not sign the report; however, the certified residential or certified general real estate appraiser shall acknowledge the specific contributions of the state-licensed real estate appraiser within the appraisal report.

(3) A certified residential real estate appraiser, if properly qualified to undertake an assignment, may perform any of the following appraisal assignments:

(a) Appraise properties that are not federally related transactions.
(b) Appraise 1 to 4-family residential properties without regard to complexity or value.
(c) Appraise nonresidential properties for federally related transactions and real estate related financial transactions where the transaction value is less than \$250,000.00.

(d) Assist a certified general real estate appraiser in the development of an appraisal of a nonresidential property that is the subject of a federally related transaction, as appropriate. The certified residential real estate appraiser shall not sign the report. However, the certified general real estate appraiser shall identify the specific contributions of the certified residential real estate appraiser within the appraisal report.

(4) The licensee authorized to sign the report shall identify all participating licensees and their contributions to the report. Signatures are required on appraisal reports according to the following chart:

Signatures Required: By License Level And Transaction Categories	Non-Federally Related Transactions & Non-Real Estate- Related Financial Transactions	Federally Related Transactions 1- 4 Family Properties Less Than \$1 Million In Transaction Value	Federally Related Transactions 1-4 Family Properties More Than \$1 Million Or Complex Properties More Than \$250,000 In Transaction Value	Federally Related Transactions Nonresiden-tial Properties Less Than \$250,000 In Transaction Value	Federally Related Transactions Nonresiden-tial More Than \$250,000 In Transaction Value
Limited Appraiser	YES	NO	NO	NO	NO

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2006 Edition

State-Licensed Appraiser	YES	YES	NO	YES	NO
Certified Residential Appraiser	YES	YES	YES	YES	NO
Certified General Appraiser	YES	YES	YES	YES	YES

History: 1996 MR 6, Eff. June 26, 1996; 2002 MR 9, Eff. May 21, 2002; 2006 MR 11, Eff. June 2, 2006.

R 339.23403

Source: 2002 AACS.

R 339.23405 Advertising.

Rule 405. (1) A licensee shall state the level of license held in all advertising. Merely stating that the person is licensed does not satisfy the provisions of this subrule. However, a directory listing or similar situation where space is limited, it shall be sufficient disclosure for a licensee to use the words certified general, certified residential, state-licensed, or limited appraiser, as appropriate, without additional wording.

(2) A licensee shall place his or her license number and license level on all reports and shall produce evidence of licensing upon request by a member of the public or a representative of the department. A license number shall not be required in advertising material.

History: 1996 MR 6, Eff. June 26, 1996; 2002 MR 9, Eff. May 21, 2002; 2006 MR 11, Eff. June 2, 2006.

**DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION**

SCHOOL DISTRICT PUPIL ACCOUNTING FOR DISTRIBUTION OF STATE AID

R 340.2

Source: 1984 AACS.

R 340.3

Source: 1984 AACS.

R 340.4

Source: 1984 AACS.

R 340.5

Source: 1984 AACS.

R 340.7

Source: 1984 AACS.

R 340.8

Source: 1997 AACS.

R 340.10

Source: 1988 AACS.

R 340.11

Annual Administrative Code Supplement
2006 Edition

Source: 1987 AACS.

INTERSCHOLASTIC ATHLETICS

R 340.81

Source: 1997 AACS.

R 340.82

Source: 1997 AACS.

R 340.83

Source: 1997 AACS.

R 340.84

Source: 1997 AACS.

R 340.85

Source: 1997 AACS.

R 340.86

Source: 1997 AACS.

R 340.87

Source: 1997 AACS.

R 340.88

Source: 1997 AACS.

R 340.89

Source: 1997 AACS.

R 340.90

Source: 1997 AACS.

R 340.91

Source: 1997 AACS.

R 340.92

Source: 1997 AACS.

R 340.101

Source: 1997 AACS.

R 340.102

Source: 1997 AACS.

R 340.103

Source: 1997 AACS.

R 340.104

Source: 1997 AACS.

R 340.105

Source: 1997 AACS.

R 340.106

Source: 1997 AACS.

Annual Administrative Code Supplement
2006 Edition

R 340.107
Source: 1997 AACS.

R 340.108
Source: 1997 AACS.

R 340.109
Source: 1997 AACS.

R 340.110
Source: 1997 AACS.

R 340.111
Source: 1997 AACS.

R 340.112
Source: 1997 AACS.

R 340.121
Source: 1997 AACS.

R 340.122
Source: 1997 AACS.

R 340.123
Source: 1997 AACS.

R 340.124
Source: 1997 AACS.

R 340.125
Source: 1997 AACS.

R 340.126
Source: 1997 AACS.

R 340.127
Source: 1997 AACS.

R 340.128
Source: 1997 AACS.

R 340.129
Source: 1997 AACS.

R 340.130
Source: 1997 AACS.

R 340.131
Source: 1997 AACS.

R 340.132
Source: 1997 AACS.

R 340.141
Source: 1997 AACS.

R 340.142
Source: 1997 AACS.

Annual Administrative Code Supplement
2006 Edition

R 340.143
Source: 1997 AACS.

R 340.144
Source: 1997 AACS.

R 340.145
Source: 1997 AACS.

R 340.151
Source: 1997 AACS.

R 340.152
Source: 1997 AACS.

R 340.153
Source: 1997 AACS.

R 340.154
Source: 1997 AACS.

R 340.155
Source: 1997 AACS.

R 340.161
Source: 1997 AACS.

R 340.162
Source: 1997 AACS.

R 340.163
Source: 1997 AACS.

R 340.164
Source: 1997 AACS.

WORK-CAMP PERMITS

R 340.181
Source: 1997 AACS.

R 340.182
Source: 1997 AACS.

R 340.183
Source: 1997 AACS.

SUPERINTENDENT OF PUBLIC INSTRUCTION

WORK PERMITS

R 340.186
Source: 1997 AACS.

R 340.187
Source: 1997 AACS.

Annual Administrative Code Supplement
2006 Edition

STATE BOARD OF EDUCATION
DEMONSTRATION PROGRAM FOR OUT-OF-WORK SCHOOL DROPOUTS

R 340.201
Source: 1997 AACS.

R 340.202
Source: 1997 AACS.

R 340.203
Source: 1997 AACS.

R 340.204
Source: 1997 AACS.

R 340.205
Source: 1997 AACS.

R 340.206
Source: 1997 AACS.

R 340.207
Source: 1997 AACS.

R 340.208
Source: 1997 AACS.

R 340.209
Source: 1997 AACS.

R 340.210
Source: 1997 AACS.

R 340.211
Source: 1997 AACS.

R 340.212
Source: 1997 AACS.

R 340.213
Source: 1997 AACS.

R 340.214
Source: 1997 AACS.

STATE AID FOR TRANSPORTATION OF SCHOOLCHILDREN

R 340.271
Source: 1997 AACS.

R 340.272
Source: 1997 AACS.

R 340.273
Source: 1997 AACS.

Annual Administrative Code Supplement
2006 Edition

R 340.274
Source: 1997 AACS.

R 340.275
Source: 1997 AACS.

R 340.276
Source: 1997 AACS.

R 340.277
Source: 1997 AACS.

R 340.278
Source: 1997 AACS.

R 340.279
Source: 1997 AACS.

DEPARTMENT OF TREASURY
QUALIFICATION OF SCHOOL DISTRICT BONDS

R 340.301
Source: 1997 AACS.

R 340.351
Source: 1998-2000 AACS.

R 340.352
Source: 1998-2000 AACS.

R 340.353
Source: 1998-2000 AACS.

R 340.354
Source: 1998-2000 AACS.

R 340.355
Source: 1998-2000 AACS.

MICHIGAN DEPARTMENT OF EDUCATION
OFFICE OF SCHOOL IMPROVEMENT
BOARDING SCHOOL LICENSES

R 340.481
Source: 2005 AACS.

R 340.482
Source: 2005 AACS.

R 340.483
Source: 2005 AACS.

R 340.484
Source: 2005 AACS.

Annual Administrative Code Supplement
2006 Edition

R 340.485
Source: 2005 AACS.

R 340.486
Source: 2005 AACS.

R 340.487
Source: 2005 AACS.

R 340.488
Source: 2005 AACS.

DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION
PUBLIC SCHOOL DAY CARE PROGRAMS

R 340.491
Source: 1997 AACS.

R 340.492
Source: 1997 AACS.

R 340.493
Source: 1997 AACS.

R 340.494
Source: 1997 AACS.

TEACHERS OF EMOTIONALLY DISTURBED CHILDREN

R 340.541
Source: 1997 AACS.

R 340.542
Source: 1997 AACS.

PSYCHOLOGIST REGISTRATION

R 340.801
Source: 1997 AACS.

R 340.802
Source: 1997 AACS.

R 340.803
Source: 1997 AACS.

R 340.804
Source: 1997 AACS.

R 340.805
Source: 1997 AACS.

R 340.806

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2006 Edition

Source: 1997 AACCS.

R 340.807

Source: 1997 AACCS.

R 340.808

Source: 1997 AACCS.

JUNIOR AND COMMUNITY COLLEGE CAPITAL OUTLAY MATCHING FUND

R 340.881

Source: 1997 AACCS.

R 340.882

Source: 1997 AACCS.

R 340.883

Source: 1997 AACCS.

R 340.884

Source: 1997 AACCS.

R 340.885

Source: 1997 AACCS.

R 340.886

Source: 1997 AACCS.

R 340.887

Source: 1997 AACCS.

R 340.888

Source: 1997 AACCS.

R 340.889

Source: 1997 AACCS.

SCHOOL PSYCHOLOGICAL SERVICES

R 340.1151

Source: 1997 AACCS.

R 340.1152

Source: 1997 AACCS.

R 340.1153

Source: 1997 AACCS.

R 340.1154

Source: 1997 AACCS.

R 340.1155

Source: 1997 AACCS.

R 340.1156

Source: 1997 AACCS.

Annual Administrative Code Supplement
2006 Edition

R 340.1157
Source: 1997 AACS.

R 340.1158
Source: 1997 AACS.

SAFETY SPECIFICATIONS FOR SCHOOL BUSES

R 340.1201
Source: 1997 AACS.

R 340.1202
Source: 1997 AACS.

R 340.1203
Source: 1997 AACS.

R 340.1204
Source: 1997 AACS.

R 340.1211
Source: 1997 AACS.

R 340.1212
Source: 1997 AACS.

R 340.1213
Source: 1997 AACS.

R 340.1214
Source: 1997 AACS.

R 340.1215
Source: 1997 AACS.

R 340.1216
Source: 1997 AACS.

R 340.1231
Source: 1997 AACS.

R 340.1232
Source: 1997 AACS.

USE OF SCHOOL BUSES BY UNITS OF GOVERNMENT

R 340.1251
Source: 1981 AACS.

R 340.1252
Source: 1981 AACS.

R 340.1253
Source: 1981 AACS.

R 340.1254

Annual Administrative Code Supplement
2006 Edition

Source: 1981 AACS.

R 340.1255

Source: 1981 AACS.

R 340.1256

Source: 1981 AACS.

**DECLARATORY RULING, PROMULGATION OF RULES,
AND INFORMATION REQUESTS**

R 340.1351

Source: 1981 AACS.

R 340.1352

Source: 1981 AACS.

R 340.1353

Source: 1981 AACS.

R 340.1354

Source: 1981 AACS.

R 340.1355

Source: 1995 AACS.

SPECIAL EDUCATION PROGRAMS AND SERVICES

PART 1. GENERAL PROVISIONS

R 340.1701

Source: 2002 AACS.

R 340.1701a

Source: 2002 AACS.

R 340.1701b

Source: 2002 AACS.

R 340.1701c

Source: 2002 AACS.

R 340.1702

Source: 2002 AACS.

R 340.1703

Source: 2002 AACS.

R 340.1704

Source: 2002 AACS.

R 340.1705

Source: 2002 AACS.

R 340.1706

Source: 2002 AACS.

Annual Administrative Code Supplement
2006 Edition

R 340.1707
Source: 2002 AACCS.

R 340.1708
Source: 2002 AACCS.

R 340.1709
Source: 2002 AACCS.

R 340.1709a
Source: 2002 AACCS.

R 340.1710
Source: 2002 AACCS.

R 340.1711
Source: 2002 AACCS.

R 340.1712
Source: 1997 AACCS.

R 340.1713
Source: 2004 AACCS.

R 340.1714
Source: 2002 AACCS.

R 340.1715
Source: 2004 AACCS.

R 340.1716.
Source: 2002 AACCS.

R 340.1717
Source: 2004 AACCS.

PART 2. EVALUATION, ELIGIBILITY, STUDENT ASSIGNMENT, AND DUE PROCESS PROCEDURES

R 340.1721
Source: 2002 AACCS.

R 340.1721a
Source: 2002 AACCS.

R 340.1721b
Source: 2002 AACCS.

R 340.1721c
Source: 2002 AACCS.

R 340.1721d
Source: 2002 AACCS.

R 340.1721e
Source: 2002 AACCS.

Annual Administrative Code Supplement
2006 Edition

R 340.1722
Source: 2002 AACS.

R 340.1722a
Source: 2004 AACS.

R 340.1722c
Source: 2002 AACS.

R 340.1722d
Source: 2002 AACS.

R 340.1722e
Source: 2002 AACS.

R 340.1722f
Source: 2002 AACS.

R 340.1723
Source: 2002 AACS.

R 340.1723a
Source: 2002 AACS.

R 340.1723b
Source: 2002 AACS.

R 340.1723c
Source: 2002 AACS.

R 340.1724
Source: 2002 AACS.

R 340.1724a
Source: 2002 AACS.

R 340.1724b
Source: 2002 AACS.

R 340.1724c
Source: 2002 AACS.

R 340.1724d
Source: 2002 AACS.

R 340.1724e State due process hearings; application; effective date; reimbursement.

Rule 24e. Effective immediately, R 340.1724e, R 340.1724f, R 340.1724g, R 340.1724h, and R 340.1724i apply to special education due process hearings and state level reviews of local due process hearing decisions. R 340.1724e, R 340.1724f, R 340.1724g, R 340.1724h, and R 340.1724i also apply to any due process proceeding required by a judicial order of remand rendered after July 1, 2006.

History: 2006 MR 22, Eff. Dec. 31, 2006.

R 340.1724f State due process hearings; procedures.

Rule 24f. (1) Due process hearings under this rule shall be administered by the Department of Education.

(2) A parent, a public agency, or the Department of Education may initiate a hearing by filing a written due process hearing complaint with the Department of Education as required by 20 U.S.C. § 1415(b) and by providing a copy of the due process hearing complaint to the other parties.

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- (3) A hearing may be initiated on matters related to any of the following:
- (a) Identification.
 - (b) Evaluation.
 - (c) Educational Placement.
 - (d) Provision of a free appropriate public education.
 - (e) Provision of appropriate Part C services to the child or the child's family.
 - (f) Assignment of financial obligations for Part C services to the parents.
 - (g) Determination that behavior was not a manifestation of the student's disability.
 - (h) Determination of an appropriate interim alternative educational setting by the individualized education program team.
 - (i) Placement in an interim alternative setting for not more than 45 school days, because maintaining the current placement is substantially likely to result in injury to the student or others.
- (4) Upon receipt of a due process hearing complaint filed under subrule (2) of this rule on or after, July 1, 2006, the Department of Education will forward the request to the State Office of Administrative Hearings and Rules who will appoint an Administrative Law Judge to conduct a hearing in accordance with the Individuals with Disabilities Education Improvement Act, 20 U.S.C. § 1401 *et. seq.*, the Michigan Mandatory Special Education Act, MCL 380.1701 *et. seq.* and R 340.1883 to R 340.1885.
- (5) Any party who is aggrieved by the final decision in a hearing conducted under this rule may not request a state level review under R 340.1724(6). Any party who is aggrieved by the final decision in a hearing conducted under this rule may appeal to a court of competent jurisdiction within 90 days after the mailing date of the final decision.
- (6) In the absence of an appeal, unless otherwise specified in the Administrative Law Judge's decision, the decision shall be implemented by the public agency within 15 school days of the agency's receipt of the decision.
- History: 2006 MR 22, Eff. Dec. 31, 2006.

R 340.1724g State review decisions.

- Rule 24g. (1) State reviews authorized by 2000 AACRS, R 340.1724(6) and originating from a due process hearing complaint filed before July 1, 2006 shall be administered by the Department of Education.
- (2) Upon receipt of a request for a state review filed under subrule (1) of this rule, the Department of Education will forward the request to the State Office of Administrative Hearings and Rules who will appoint an Administrative Law Judge to conduct the review in accordance with the Individuals with Disabilities Education Improvement Act, 20 U.S.C. § 1401 *et. seq.*, the Michigan Mandatory Special Education Act, MCL 380.1701 *et. seq.* and R 340.1883 to R 340.1885.
- (3) Any party who is aggrieved by the final decision in a state review conducted under this rule may appeal to a court of competent jurisdiction within 90 days after the mailing date of the final decision.
- (4) In the absence of an appeal, unless otherwise specified in the Administrative Law Judge's state review decision, the decision shall be implemented by the public agency within 15 school days of the agency's receipt of the decision.
- (5) To the extent consistent with these rules, the state review process is governed by R 340.1724(6).
- History: 2006 MR 22, Eff. Dec. 31, 2006.

R 340.1724h Administrative Law Judge training.

Rule 24h. The Department of Education, in conjunction with the State Office of Administrative Hearings and Rules, will assure that Administrative Law Judges conducting hearings under these rules will be trained, as needed, regarding administrative law, administrative procedure, special education law, special education rules, special education policy, and special education practice.

History: 2006 MR 22, Eff. Dec. 31, 2006.

R 340.1724i Reimbursement.

Rule 24i. For purposes of MCL 380.1752, this rule replaces R 340.1882(4), which was rescinded. The district of residence or public school academy shall reimburse the State 75% of the costs related to providing the due process hearing.

History: 2006 MR 22, Eff. Dec. 31, 2006.

R 340.1725

Source: 2002 AACRS.

R 340.1725a

Source: 2002 AACRS.

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2006 Edition

R 340.1725b
Source: 2002 AACS.

R 340.1725c
Source: 2002 AACS.

R 340.1725d
Source: 2002 AACS.

R 340.1725e
Source: 2002 AACS.

R 340.1725f
Source: 2002 AACS.

PART 3. ADMINISTRATION OF PROGRAMS AND SERVICES

R 340.1731
Source: 1997 AACS.

R 340.1732
Source: 2002 AACS.

R 340.1733
Source: 2004 AACS.

R 340.1734
Source: 2002 AACS.

R 340.1735
Source: 1997 AACS.

R 340.1736
Source: 2002 AACS.

R 340.1737
Source: 2002 AACS.

R 340.1738
Source: 2002 AACS.

R 340.1739
Source: 2002 AACS.

R 340.1740
Source: 2002 AACS.

R 340.1741
Source: 2002 AACS.

R 340.1742
Source: 2002 AACS.

R 340.1743
Source: 2002 AACS.

Annual Administrative Code Supplement
2006 Edition

R 340.1744
Source: 2002 AACS.

R 340.1745
Source: 2002 AACS.

R 340.1746
Source: 2005 AACS.

R 340.1747
Source: 2002 AACS.

R 340.1748
Source: 2002 AACS.

R 340.1749
Source: 2002 AACS.

R 340.1749a
Source: 2004 AACS.

R 340.1749b
Source: 2004 AACS.

R 340.1749c
Source: 2002 AACS.

R 340.1750
Source: 2002 AACS.

R 340.1751
Source: 2002 AACS.

R 340.1752
Source: 1997 AACS.

R 340.1753
Source: 2002 AACS.

R 340.1754
Source: 2002 AACS.

R 340.1755
Source: 2002 AACS.

R 340.1756
Source: 2005 AACS.

R 340.1757
Source: 2005 AACS.

R 340.1758
Source: 2004 AACS.

PART 4. QUALIFICATIONS OF DIRECTORS AND SUPERVISORS

R 340.1771

Annual Administrative Code Supplement
2006 Edition

Source: 2002 AACCS.

R 340.1772

Source: 2002 AACCS.

R 340.1773

Source: 2002 AACCS.

R 340.1774

Source: 2002 AACCS.

PART 5. QUALIFICATIONS OF TEACHERS AND OTHER PERSONNEL

R 340.1781

Source: 2005 AACCS.

R 340.1782

Source: 2005 AACCS.

R 340.1783

Source: 2002 AACCS.

R 340.1783a

Source: 2005 AACCS.

R 340.1784

Source: 2002 AACCS.

R 340.1785

Source: 2002 AACCS.

R 340.1786

Source: 2005 AACCS.

R 340.1787

Source: 2005 AACCS.

R 340.1788

Source: 2005 AACCS.

R 340.1790

Source: 2002 AACCS.

R 340.1791

Source: 2002 AACCS.

R 340.1792

Source: 2002 AACCS.

R 340.1793

Source: 2002 AACCS.

R 340.1793a

Source: 2002 AACCS.

R 340.1794

Source: 2002 AACCS.

Annual Administrative Code Supplement
2006 Edition

R 340.1795
Source: 2002 AACS.

R 340.1796
Source: 2002 AACS.

R 340.1797
Source: 2002 AACS.

R 340.1798
Source: 2002 AACS.

R 340.1799
Source: 2005 AACS.

R 340.1799a
Source: 2005 AACS.

R 340.1799b
Source: 2002 AACS.

R 340.1799c
Source: 2002 AACS.

R 340.1799d
Source: 2002 AACS.

R 340.1799e
Source: 2002 AACS.

R 340.1799f
Source: 2002 AACS.

R 340.1799g
Source: 2005 AACS.

PART 6. FINANCING

R 340.1801
Source: 2002 AACS.

R 340.1802
Source: 2002 AACS.

R 340.1803
Source: 2002 AACS.

R 340.1805
Source: 2002 AACS.

R 340.1806
Source: 2002 AACS.

R 340.1808
Source: 2002 AACS.

Annual Administrative Code Supplement
2006 Edition

R 340.1809
Source: 2002 AACS.

R 340.1810
Source: 2002 AACS.

R 340.1811
Source: 2002 AACS.

R 340.1812
Source: 2002 AACS.

PART 7. DEVELOPMENT AND SUBMISSION OF INTERMEDIATE SCHOOL DISTRICTS' PLAN

R 340.1831
Source: 2005 AACS.

R 340.1832
Source: 2002 AACS.

R 340.1833
Source: 2002 AACS.

R 340.1834
Source: 2002 AACS.

R 340.1835
Source: 2002 AACS.

R 340.1836
Source: 2002 AACS.

R 340.1837
Source: 2002 AACS.

R 340.1838
Source: 2002 AACS.

R 340.1839
Source: 2002 AACS.

PART 8. COMPLAINTS

R 340.1851
Source: 2002 AACS.

R 340.1852
Source: 2002 AACS.

R 340.1853
Source: 2002 AACS.

R 340.1854
Source: 1997 AACS.

PART 9. RECORDS AND CONFIDENTIALITY

Annual Administrative Code Supplement
2006 Edition

R 340.1861
Source: 2002 AACS.

R 340.1862
Source: 2002 AACS.

R 340.1863
Source: 2002 AACS.

R 340.1864
Source: 2002 AACS.

R 340.1865
Source: 2002 AACS.

R 340.1866
Source: 2002 AACS.

R 340.1867
Source: 2002 AACS.

R 340.1868
Source: 2002 AACS.

R 340.1869
Source: 2002 AACS.

R 340.1870
Source: 2002 AACS.

R 340.1871
Source: 2002 AACS.

R 340.1872
Source: 2002 AACS.

R 340.1873
Source: 2002 AACS.

DEPARTMENT OF LABOR AND ECONOMIC GROWTH

DUE PROCESS PROCEDURES FOR SPECIAL EDUCATION HEARINGS

R 340.1881 Rescinded.
History: 2005 MR 10, Eff. July 1, 2006; rescinded 2006 MR 13, Eff. July 3, 2006.

R 340.1882 Rescinded.
History: 2005 MR 10, Eff. July 1, 2006; rescinded 2006 MR 13, Eff. July 3, 2006.

R 340.1883
Source: 2005 AACS.

R 340.1884
Source: 2005 AACS.

R 340.1885

Annual Administrative Code Supplement
2006 Edition

Source: 2005 AACS.

DEPARTMENT OF MANAGEMENT AND BUDGET
REGIONAL EDUCATIONAL MEDIA CENTERS

R 380.1

Source: 1981 AACS.

R 380.2

Source: 1981 AACS.

R 380.3

Source: 1981 AACS.

R 380.4

Source: 1981 AACS.

R 380.5

Source: 1981 AACS.

R 380.6

Source: 1981 AACS.

R 380.7

Source: 1981 AACS.

R 380.8

Source: 1981 AACS.

R 380.9

Source: 1981 AACS.

R 380.10

Source: 1981 AACS.

DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION
TRANSPORTATION OF HANDICAPPED PERSONS

R 380.51

Source: 1997 AACS.

R 380.52

Source: 1997 AACS.

R 380.53

Source: 1997 AACS.

R 380.54

Source: 1997 AACS.

R 380.55

Source: 1997 AACS.

R 380.56

Source: 1997 AACS.

Annual Administrative Code Supplement
2006 Edition

R 380.57
Source: 1997 AACS.

R 380.58
Source: 1997 AACS.

R 380.59
Source: 1997 AACS.

R 380.60
Source: 1997 AACS.

R 380.61
Source: 1997 AACS.

ADMINISTRATOR CERTIFICATION CODE

PART 1. GENERAL PROVISIONS

R 380.101
Source: 1988 AACS.

R 380.102
Source: 1988 AACS.

R 380.103
Source: 1988 AACS.

R 380.104
Source: 1988 AACS.

R 380.105
Source: 1988 AACS.

R 380.106
Source: 1988 AACS.

R 380.107
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R 380.108
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R 380.109
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R 380.110
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R 380.111
Source: 1988 AACS.

R 380.112
Source: 1988 AACS.

R 380.113
Source: 1988 AACS.

Annual Administrative Code Supplement
2006 Edition

PART 2. ADMINISTRATIVE HEARINGS

R 380.114
Source: 1988 AACS.

R 380.122
Source: 1988 AACS.

R 380.123
Source: 1988 AACS.

R 380.124
Source: 1988 AACS.

R 380.125
Source: 1988 AACS.

R 380.126
Source: 1988 AACS.

R 380.127
Source: 1988 AACS.

R 380.128
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R 380.129
Source: 1988 AACS.

R 380.130
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R 380.131
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R 380.132
Source: 1988 AACS.

R 380.133
Source: 1988 AACS.

R 380.134
Source: 1988 AACS.

R 380.135
Source: 1988 AACS.

R 380.136
Source: 1988 AACS.

SCHOOL PSYCHOLOGIST CERTIFICATE

R 380.201
Source: 1992 AACS.

R 380.202
Source: 1992 AACS.

Annual Administrative Code Supplement
2006 Edition

R 380.203 role of school psychologist.

Rule 3. A school psychologist may function in the following roles:

- (a) provide school psychological services to any pupil.
- (b) conduct interviews and collect direct and indirect measures of behavior for the purposes of understanding academic and behavioral problems, implementing appropriate evidence-based interventions, and evaluating the effects of those interventions.
- (c) collaborate with staff in planning educational intervention, curriculum, behavioral management, and teaching strategies, including early intervention and response to intervention approaches.
- (d) consult, counsel, and collaborate with pupils, parents, school personnel, and appropriate outside personnel regarding mental health, behavioral, and educational concerns utilizing psychological principles.
- (e) provide psychological evaluation for pupils referred as candidates for special education programs and provide reports to the appropriate educational authority.
- (f) provide direct psychological interventions that include both individual and group interventions using psychological principles.
- (g) conduct behavior assessments, including functional behavior assessments.
- (h) perform systematic direct observations of pupils.
- (i) administer tests which may include intelligence, achievement, personality, adaptive behavior, observations, checklists, interviews, and curriculum-based assessment or measures.
- (j) interpret the psychological and other diagnostic data for professionals, parents, pupils, and appropriate others.
- (k) collaborate in program planning and evaluation services for decision-making purposes which may include eligibility decisions and data-based problem solving.
- (l) design and implement instructional support and assessment systems, such as response to intervention approaches and curriculum-based assessment or measurement.
- (m) contribute to and evaluate the effects of prevention, early intervention, and crisis intervention programs, including systems level mental health programs such as school wide positive behavior support plans.
- (n) conduct research and program evaluations for the purpose of improvement of services.

History: 1992 MR 3, Eff. Sept. 1, 1992; 2006 MR 13, Eff. July 6, 2006.

R 380.204 preliminary school psychologist certificate.

Rule 4. (1) an applicant for a preliminary school psychologist certificate shall meet both of the following requirements:

- (a) have completed a minimum of 45 graduate semester hours in an approved program toward the school psychologist certificate. An internship shall not be considered a part of the 45 semester hours.
 - (b) have completed not less than a 600-clock-hour, supervised internship with school-age pupils in an approved school psychologist program, 300 clock hours of which shall be in a school setting under the supervision of a person who holds a michigan school psychologist certificate.
- (2) officials of a michigan institution that has an approved program shall recommend to the department, on a form provided by the department, the issuance of a preliminary school psychologist certificate. The recommendation to issue the preliminary school psychologist certificate shall be made when an applicant has completed the requirements approved by the board as defined in these rules. An application to an institution with an approved program for a preliminary school psychologist certificate shall be considered a certification requirement. An applicant shall meet the requirements for a preliminary school psychologist certificate when his or her application has been received and approved by the institution and the department. The department shall review the recommendation made by the officials of an institution before the certificate is issued to determine that certification requirements are met.
- (3) a preliminary school psychologist certificate shall be valid for 3 years. A preliminary school psychologist certificate expires on june 30 of the expiration year indicated on the certificate.
- (4) a person employed under the preliminary school psychologist certificate shall have local supervision provided by a fully certificated michigan school psychologist with a minimum of 2 hours per week of supervision.
- (5) an applicant and an employer shall be familiar with the specific requirements of the preliminary school psychologist certificate.
- (6) a preliminary school psychologist certificate may be renewed for an additional 3 years upon completion of not less than 6 semester hours of credit in an approved program. Credit shall be in courses appropriate to a school psychologist as determined by the institution. A preliminary school psychologist certificate may be renewed once.
- (7) correspondence credit is not acceptable for meeting the requirements of an initial preliminary school psychology certificate, or its renewal. Online and distance learning coursework is acceptable for renewal if attending a state, regional, or nationally accredited institution. Coursework shall be applicable to the school psychologist position.

History: 1992 MR 3, Eff. Sept. 1, 1992; 2006 MR 13, Eff. July 6, 2006.

R 380.205 out-of-state applicants for preliminary school psychologist certificate.

rule 5. (1) an out-of-state applicant for a school psychologist certificate shall first apply for a michigan preliminary school psychologist certificate unless the applicant meets the criteria in r 380.206a.

(2) the board may accept a comparable school psychologist certificate from another state or a foreign country or national certification as a school psychologist as a basis for the issuance of amichigan preliminary school psychologist certificate.

(3) the board may accept credits presented for certification from accredited institutions or agencies located in other states or foreign countries. Proof of credit shall be submitted to the department directly from the institution, on official transcripts.

(4) an applicant for a preliminary school psychologist certificate in this state who has been educated in an approved school psychology program in another state shall present evidence of having fulfilled all of the requirements established for applicants who have been educated in the approved michigan universities.

History: 1992 MR 3, Eff. Sept. 1, 1992; 2006 MR 13, Eff. July 6, 2006.

R 380.206 school psychologist certificate.

Rule 6. (1) an applicant for a school psychologist certificate shall meet all of the following requirements:

(a) hold a valid michigan preliminary school psychologist certificate.

(b) possess a specialist's degree or its equivalent in school psychology from an institution with an approved program.

(c) have completed a minimum of 15 graduate semester hours in school psychology, including an internship, in addition to the 45 semester hours required for the preliminary certificate.

(d) in addition to the 600 clock hours required for the preliminary certificate, have completed not less than a 600-clock-hour, supervised internship with school-age pupils in an approved school psychologist program, 300 clock hours of which shall be in a school setting under the supervision of a person who holds a valid michigan school psychologist certificate or its equivalent.

(e) meet the requirements in this rule and in r 380.208.

(f) have completed 1 year of successful experience employed as a school psychologist with direction from a fully certificated michigan school psychologist with a minimum of 2 hours per week of supervision.

(2) officials of a michigan institution that has an approved school psychologist program shall recommend, to the department, on a form provided by the department, the issuance of a school psychologist certificate. The recommendation to issue a school psychologist certificate shall be made when an applicant has completed the requirements of these rules. An application to an institution that has an approved program for a school psychologist certificate shall be considered a certification requirement. An applicant shall meet the requirements for a school psychologist certificate when his or her application has been received and approved by the institution and the department. The department shall review the recommendation made by the officials of an institution before the certificate is issued to determine that certification requirements are met.

(3) a school psychologist certificate shall be valid for 5 years.

(4) all certificates issued within a calendar year expire 5 years from june 30 of that year.

(5) an applicant and an employer shall be familiar with the specific requirements of the school psychologist certificate.

(6) the renewal of a school psychologist certificate requires the completion of 6 semester credit hours of academic credit at any 4-year college or university or michigan community college recognized by the department, or the equivalent in approved 18 state board continuing education units. Credit shall be towards an individual's professional development as a school psychologist. A combination of semester credit hours and state board continuing education units may be used to meet requirements for renewal. Three state board continuing education units are equivalent to 1 semester credit hour. Additional semester credit hours beyond the required 6 semester credit hours or equivalent state board approved continuing education units earned during any certificate validity span shall not be applied toward any later renewals.

(7) all renewal credit shall be completed after the date of issuance of a school psychologist certificate and within the 5-calendar-year period before applying for renewal.

(8) correspondence credit is not acceptable for meeting the requirements of the school psychologist certificate or its renewal. Online and distance learning coursework is acceptable for renewal if attending any 4-year college or university or michigan community college recognized by the department. Coursework shall be applicable to the school psychologist position.

(9) credit earned toward renewing a school psychologist certificate may be used for renewing a professional education teaching certificate or occupational and vocational certificate.

(10) to renew a school psychologist certificate that has been expired for more than 5 years, 12 semester hours of credit shall be required. Coursework shall be applicable to the school psychologist position.

(11) to renew a school psychologist certificate that has been expired for more than 10 years, 18 semester hours of credit shall be required.

History: 1992 MR 3, Eff. Sept. 1, 1992; 2006 MR 13, Eff. July 6, 2006.

Annual Administrative Code Supplement
2006 Edition

R 380.206a out-of-state applicants for school psychologist certificate.

Rule 6a. The board may accept national certification as a school psychologist and 1 year of work experience beyond the internship as a basis for the issuance of a michigan school psychologist certificate to an out-of-state applicant.

History: 2006 MR 13, Eff. July 6, 2006.

R 380.207

Source: 1992 AACCS.

R 380.208 school psychologist competencies.

Rule 8. A candidate seeking approval for a school psychologist certificate shall be recommended by an approved college or university as having demonstrated all of the following competencies:

- (a) knowledge of the organization and administration of local and state agencies and their services for pupils.
- (b) knowledge of federal and state special education laws and other legal aspects of the role of the school psychologist.
- (c) knowledge of data-based decision making used to evaluate the outcomes of intervention services. Data-based decision making is applied at the individual level to evaluate student response to intervention services and at the broader system level, as in the evaluation of systems-level practices.
- (d) skills in the ability to consult, counsel, and collaborate with pupils, parents, school personnel, and appropriate outside personnel regarding mental health, behavior, and educational concerns utilizing psychological principles.
- (e) knowledge of varied assessment practices useful in identifying student strengths and needs, in understanding problems, and in measuring progress and accomplishments. Methods include interviews, formal and informal test administration, behavior assessment, curriculum-based assessment, and measurement and ecological and environmental assessment.
- (f) understanding of the rationale of assessment, testing and measurement, and skills in the administration of assessments including tests, including those which measure intelligence, achievement, personality, and adaptive behavior.
- (g) ability to carry out systematic direct observations of pupils.
- (h) skills in integrating data obtained from tests and from other sources of information and the ability to communicate these findings to other professionals, parents, and pupils in a meaningful way.
- (i) skills in psychological report writing and other written communication.
- (j) knowledge of human learning processes, techniques to assess those processes, and direct and indirect services applicable to the development of cognitive and academic skills.
- (k) knowledge of human development, psychopathology, stressors, and crises in schools and the skills to apply this knowledge to such areas as crisis prevention and intervention, and functional behavior assessment.
- (l) knowledge of human behavior and behavior management techniques and the capacity to plan and implement classroom management procedures pertaining to the behavior of pupils.
- (m) comprehensive understanding of personality development and the assessment of human behavior.
- (n) knowledge of family systems, including family strengths and influences on development, learning, and behavior, and of methods to involve families in education and service delivery.
- (o) knowledge of how cultural and ethnic differences influence behavior and affect evaluation.
- (p) competency in the planning and prescribing of teaching and curriculum strategies for pupils.
- (q) knowledge of research methods, statistics, and program evaluation methods.
- (r) knowledge of computer technology necessary to implement computer applications for management, to understand the computer's instructional value, and to develop the computer skills needed in the delivery of educational and psychological services.
- (s) knowledge of the ethical standards of the profession of school psychology.

History: 1992 MR 3, Eff. Sept. 1, 1992; 2006 MR 13, Eff. July 6, 2006.

R 380.209

Source: 1992 AACCS.

R 380.210

Source: 1992 AACCS.

DEPARTMENT OF EDUCATION
SUPERINTENDENT OF PUBLIC INSTRUCTION

Annual Administrative Code Supplement
2006 Edition

SCHOOL ADMINISTRATOR CONTINUING EDUCATION

R 380.1201

Source: 1998-2000 AACS.

STATE AID PROGRAMS FOR UNDERPRIVILEGED CHILDREN

R 388.201

Source: 1997 AACS.

R 388.202

Source: 1997 AACS.

R 388.203

Source: 1997 AACS.

R 388.204

Source: 1997 AACS.

R 388.205

Source: 1997 AACS.

STATE AID TO IMPROVE ACHIEVEMENT IN BASIC COGNITIVE SKILLS

R 388.221

Source: 1981 AACS.

R 388.222

Source: 1981 AACS.

R 388.223

Source: 1981 AACS.

R 388.224

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R 388.231

Source: 1981 AACS.

R 388.234

Source: 1997 AACS.

GRANTS FOR COMMUNITY SCHOOL PROGRAM

R 388.281
Source: 1997 AACS.

R 388.282
Source: 1997 AACS.

R 388.283
Source: 1997 AACS.

DRIVER EDUCATION

PART 1. GENERAL PROVISIONS

R 388.302
Source: 1998-2000 AACS.

R 388.303
Source: 1998-2000 AACS.

R 388.304
Source: 1998-2000 AACS.

R 388.304a
Source: 1994 AACS.

R 388.305
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R 388.306a
Source: 1998-2000 AACS.

R 388.306b
Source: 1994 AACS.

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R 388.313
Source: 1994 AACS.

R 388.313a

Annual Administrative Code Supplement
2006 Edition

Source: 1994 AACS.

R 388.313b

Source: 1994 AACS.

R 388.313c

Source: 1994 AACS.

R 388.314a

Source: 1994 AACS.

R 388.314c

Source: 1998-2000 AACS.

R 388.314e

Source: 1994 AACS.

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Source: 1998-2000 AACS.

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Source: 1997 AACS.

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Source: 1998-2000 AACS.

R 388.319

Source: 1994 AACS.

R 388.320

Source: 1998-2000 AACS.

PART 2. SCHOOL DISTRICT DRIVER EDUCATION

R 388.321

Source: 1997 AACS.

R 388.322

Source: 1998-2000 AACS.

R 388.323

Source: 1998-2000 AACS.

R 388.324

Source: 1994 AACS.

PART 3. DRIVER EDUCATION PROVIDED BY ORGANIZATIONS

R 388.331

Source: 1998-2000 AACS.

R 388.332

Source: 1998-2000 AACS.

R 388.333

Source: 1994 AACS.

R 388.334

Annual Administrative Code Supplement
2006 Edition

Source: 1998-2000 AACS.

R 388.335

Source: 1994 AACS.

DEPARTMENT OF STATE
BUREAU OF DRIVER IMPROVEMENT
DRIVER TRAINING SCHOOLS

R 388.352

Source: 1988 AACS.

R 388.353

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R 388.362

Source: 1988 AACS.

DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION
STATE AID FOR TRANSPORTATION OF SCHOOLCHILDREN

R 388.371

Source: 1987 AACS.

R 388.372

Source: 1987 AACS.

R 388.373

Source: 1997 AACS.

R 388.374

Source: 1987 AACS.

Annual Administrative Code Supplement
2006 Edition

R 388.375
Source: 1997 AACCS.

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R 388.389
Source: 1997 AACCS.

**STATE AID FOR MATHEMATICS PROGRAM FOR
EDUCATIONALLY NEEDY CHILDREN**

R 388.401
Source: 1997 AACCS.

R 388.402
Source: 1997 AACCS.

R 388.403
Source: 1997 AACCS.

R 388.404

Annual Administrative Code Supplement
2006 Edition

Source: 1997 AACS.

STATE AID FOR LEARNING DISABILITIES PROGRAMS

R 388.411

Source: 1997 AACS.

R 388.412

Source: 1997 AACS.

R 388.413

Source: 1997 AACS.

R 388.414

Source: 1997 AACS.

R 388.415

Source: 1997 AACS.

R 388.416

Source: 1997 AACS.

STATE AID FOR READING SUPPORT SERVICES

R 388.421

Source: 1997 AACS.

R 388.422

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Source: 1997 AACS.

R 388.425

Source: 1997 AACS.

OFF-ROAD RECREATIONAL VEHICLE SAFETY EDUCATION

R 388.451

Source: 2005 AACS.

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Source: 2005 AACS.

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Annual Administrative Code Supplement
2006 Edition

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STATE AID FOR PERFORMANCE CONTRACTS

R 388.551
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Source: 1997 AACS.

Annual Administrative Code Supplement
2006 Edition

R 388.555
Source: 1997 AACS.

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NEIGHBORHOOD EDUCATION CENTERS

R 388.601
Source: 1997 AACS.

R 388.602
Source: 1997 AACS.

R 388.603
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R 388.604
Source: 1997 AACS.

IDENTIFICATION OF STUDENTS ELIGIBLE FOR BILINGUAL EDUCATION FUNDING

R 388.701
Source: 1982 AACS.

R 388.702
Source: 1982 AACS.

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Source: 2001 AACS.

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Source: 1982 AACS.

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Source: 1982 AACS.

R 388.709
Source: 1982 AACS.

R 388.710
Source: 2001 AACS.

R 388.711

Annual Administrative Code Supplement
2006 Edition

Source: 1982 AACCS.

**COMMUNITY AND JUNIOR COLLEGES FULL-TIME
EQUATED ENROLLMENT FOR STATE AID**

R 389.1

Source: 1997 AACCS.

R 389.2

Source: 1997 AACCS.

R 389.3

Source: 1997 AACCS.

R 389.4

Source: 1997 AACCS.

**PROPRIETARY SCHOOL UNIT
PROPRIETARY SCHOOLS**

R 390.561

Source: 1998-2000 AACCS.

R 390.562

Source: 1998-2000 AACCS.

R 390.562a

Source: 1987 AACCS.

R 390.563

Source: 1998-2000 AACCS.

R 390.564

Source: 1987 AACCS.

R 390.564a

Source: 1997 AACCS.

R 390.565

Source: 1987 AACCS.

R 390.566

Source: 1987 AACCS.

R 390.567

Source: 1998-2000 AACCS.

R 390.568

Source: 1998-2000 AACCS.

R 390.569

Source: 1998-2000 AACCS.

DEPARTMENT OF TREASURY

Annual Administrative Code Supplement
2006 Edition

PROJECT COSTS

R 390.631
Source: 1997 AACs.

PROJECT COSTS

R 390.641
Source: 1997 AACs.

DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION
TEACHERS' TENURE

R 390.661
Source: 2005 AACs.

SPECIAL EDUCATION SCHOLARSHIPS

R 390.801
Source: 1997 AACs.

R 390.802
Source: 1997 AACs.

R 390.803
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R 390.804
Source: 1997 AACs.

R 390.805
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R 390.810
Source: 1997 AACs.

R 390.811
Source: 1997 AACs.

R 390.812
Source: 1997 AACs.

Annual Administrative Code Supplement
2006 Edition

R 390.813
Source: 1997 AACS.

R 390.814
Source: 1997 AACS.

GRANTS FOR SPECIAL EDUCATION TEACHERS

R 390.821
Source: 1997 AACS.

R 390.822
Source: 1997 AACS.

R 390.823
Source: 1997 AACS.

R 390.824
Source: 1997 AACS.

R 390.825
Source: 1997 AACS.

DEPARTMENT OF TREASURY
MICHIGAN HIGHER EDUCATION ASSISTANCE AUTHORITY
TUITION GRANTS

R 390.831
Source: 1985 AACS.

R 390.833
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R 390.835
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R 390.836
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R 390.841

Annual Administrative Code Supplement
2006 Edition

Source: 1985 AACCS.

R 390.842

Source: 1997 AACCS.

R 390.845

Source: 1991 AACCS.

R 390.846

Source: 1985 AACCS.

R 390.848

Source: 1991 AACCS.

UNDERGRADUATE SCHOLARS AWARD PROGRAM

R 390.871

Source: 1997 AACCS.

R 390.872

Source: 1997 AACCS.

R 390.873

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R 390.874

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R 390.875

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R 390.880

Source: 1997 AACCS.

DEPARTMENT OF TREASURY

MICHIGAN HIGHER EDUCATION ASSISTANCE AUTHORITY

BUREAU OF STUDENT FINANCIAL ASSISTANCE

NURSING SCHOLARSHIP RULES

R 390.901

Source: 2004 AACCS.

R 390.903

Annual Administrative Code Supplement
2006 Edition

Source: 2004 AACs.

R 390.905

Source: 2004 AACs.

R 390.907

Source: 2004 AACs.

R 390.909

Source: 2004 AACs.

R 390.913

Source: 2004 AACs.

R 390.915

Source: 2004 AACs.

STATE COMPETITIVE SCHOLARSHIPS

R 390.921

Source: 1997 AACs.

R 390.922

Source: 1997 AACs.

R 390.923

Source: 1997 AACs.

R 390.924

Source: 1997 AACs.

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Annual Administrative Code Supplement
2006 Edition

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Source: 1997 AACCS.

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R 390.942
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R 390.943
Source: 1997 AACCS.

DEPARTMENT OF EDUCATION
HIGHER EDUCATION FACILITIES COMMISSION
GRANTS FOR CONSTRUCTION OF UNDERGRADUATE ACADEMIC FACILITIES

R 390.961
Source: 1997 AACCS.

R 390.962
Source: 1997 AACCS.

R 390.963
Source: 1997 AACCS.

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Annual Administrative Code Supplement
2006 Edition

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Source: 1997 AACCS.

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R 390.972
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R 390.973
Source: 1997 AACCS.

DEPARTMENT OF TREASURY
HIGHER EDUCATION FACILITIES AUTHORITY
EDUCATIONAL LOANS

R 390.981
Source: 2002 AACCS.

R 390.982
Source: 2002 AACCS.

R 390.983
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R 390.984
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R 390.985
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R 390.986
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R 390.987
Source: 1997 AACCS.

R 390.988
Source: 1997 AACCS.

DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION
GRANTS FOR THE IMPROVEMENT OF UNDERGRADUATE
INSTRUCTION EQUIPMENT

R 390.1001
Source: 1997 AACCS.

R 390.1002
Source: 1997 AACCS.

Annual Administrative Code Supplement
2006 Edition

R 390.1003
Source: 1997 AACCS.

R 390.1004
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R 390.1009
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R 390.1010
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R 390.1011
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R 390.1012
Source: 1997 AACCS.

R 390.1013
Source: 1997 AACCS.

GRANTS FOR STUDIES FOR EXTENDED SCHOOL YEAR

R 390.1051
Source: 1997 AACCS.

R 390.1052
Source: 1997 AACCS.

R 390.1053
Source: 1997 AACCS.

R 390.1054
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R 390.1055
Source: 1997 AACCS.

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TEACHER CERTIFICATION CODE

PART 1. GENERAL PROVISIONS

Annual Administrative Code Supplement
2006 Edition

R 390.1101 Definitions.

Rule 1. As used in this code:

- (a) "Certificate endorsement" means subject or subjects that a teacher is authorized to teach at specific grade levels based on completion of appropriate coursework and passage of the appropriate state teacher subject area examination.
- (b) "Departmentalized classroom" means a classroom in which instruction in a specific subject area is provided for a defined period of time.
- (c) "Early childhood certificate endorsement" means a specialization to teach in any school program preceding and including grade 3.
- (d) "Elementary certificate" means an authorization to teach all subjects, kindergarten to and including grade 5, and grade 6 to and including grade 8 in a self-contained classroom and may include one or more subject area endorsements or authorizations to teach in grade 6 to and including grade 8 in departmentalized classrooms.
- (e) "Elementary school" means a school at which instruction is provided for any configuration of grades from kindergarten through grade 8.
- (f) "Field experience" means structured, supervised activity in a school setting in which a teacher certification candidate may gain experience in the practice of teaching.
- (g) "General elementary endorsement on a secondary certificate" means an authorization to teach all subjects in grades kindergarten to and including 5, and all subjects in grades 6 to and including 8 in a self-contained classroom.
- (h) "Michigan teaching certificate" means any of the following:
 - (i) A permanent certificate. (No longer issued.)
 - (ii) A life certificate. (No longer issued.)
 - (iii) A provisional certificate.
 - (iv) An occupational education certificate.
 - (v) A continuing certificate. (No longer issued.)
 - (vi) A professional education certificate.
 - (vii) A temporary or full vocational authorization. (No longer issued.)
 - (viii) An interim occupational certificate (Formerly the temporary vocational authorization.)
 - (ix) A 2-year extended provisional certificate.
 - (x) A temporary teacher employment authorization.
- (i) "Middle level certificate endorsement" means a specialization to teach in grades 5 to and including 9 in the subject area endorsements on the teaching certificate.
- (j) "Nonpublic school," means a private, denominational, or parochial school, as defined under section 380.5(4) of 1976 PA 451, MCL 380.5(4).
- (k) "Occupational recency" means work experience in the occupational area that has occurred within 6 years of application for an interim occupational authorization or certificate.
- (l) "Occupational relevancy" means work experience gained through employment in the occupational area.
- (m) "Planned program" means a cohesive, standards based course of study that provides a knowledge and skill for specialization in a subject area or areas and supports the practice of teaching, or supports the professional career development of the educator.
- (n) "Satisfactory college semester credit hours" means an average grade of C or better or the equivalent.
- (o) "School district" means a local school district established under section 5 of 1976 PA 451, MCL 380.5, an intermediate school district established under part 7 of 1976 PA 451, a public school academy established under part 6a of 1976 PA 451, an urban high school academy established under part 6c of 1976 PA 451, and a strict discipline academy established under sections 1311b to 1311f of 1976 PA 451, MCL 380.1311b to MCL 380.1311f.
- (p) "Secondary certificate" means an authorization to teach in grades 6 to and including 12 in subject area endorsements on the teaching certificate.
- (q) "Secondary school" means a school that consists of some or all of grades 6 to 12.
- (r) "Self-contained classroom" means a classroom in which 1 teacher provides instruction to the same pupils for the majority of the pupil's instructional day.
- (s) "State board" means the state board of education.
- (t) "Substantive field" means academic disciplines offered in the K to 12 school's curriculum, appropriate to the grade level of the certificate.
- (u) "Teacher preparation institution" means a baccalaureate or higher degree granting institution which is approved for teacher education by the state board to recommend applicants for the several certificates and endorsements provided for in these rules.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; 1979 ACS 6, Eff. May 22, 1981; 1986 MR 11, Eff. Dec. 5, 1986; 1989 MR 6, Eff. July 8, 1989; 2006 MR 22, Eff. Nov. 20, 2006.

Annual Administrative Code Supplement
2006 Edition

R 390.1103 Successful teaching.

Rule 3. (1) The determination of 3 years of successful teaching specified in these rules shall be according to the following:

- (a) Employment may be with 1 or more employers in a regular or substitute teaching capacity within the validity of the certificate.
- (b) Each period of employment shall be characterized as successful or unsuccessful by the employer.
- (c) A year of employment is a minimum of 150 teaching days and may be either an academic or a calendar year, but not more than 1 year of employment can be earned during a calendar year.
- (d) A day of employment is $\frac{1}{2}$ or more of a teaching day, but not more than 1 day of employment can be earned during a calendar day.

(2) A teacher may appeal any decision under these rules through the recommending institution's appeal procedure and, failing relief from that source, to the superintendent of public instruction.

History: 1954 ACS 83, Eff. May 7, 1975; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1105 Persons required to hold certificates or permits.

Rule 5. (1) A person employed as a teacher in an elementary or secondary school with instructional responsibilities shall hold a certificate, permit, or vocational authorization valid for the positions to which the teacher is assigned.

(2) A teacher aide, instructional paraprofessional, classroom assistant, secretary to instructional personnel, or other paraprofessional person legally employed in a non-instructional capacity need not be certificated as a teacher.

(3) A teacher candidate enrolled for student teaching or internship semester credit hours at an approved teacher preparation institution need not hold a teaching certificate.

(4) A full-time teacher of a day school program reimbursed from vocational education funds shall meet the minimum qualifications for endorsement or authorization in the particular vocational education field as specified by the superintendent of public instruction.

(5) A teacher in a reimbursed program in special education shall meet the minimum qualifications for certification, endorsements, or approvals when required by law in the particular special education field, as specified by the superintendent of public instruction.

(6) A person employed as a junior reserve officer training corps teacher need not be a certified teacher but shall be approved by the department of defense to provide instruction in a junior reserve officer training corps assignment.

(7) A previously issued certificate retains its original designation and validity.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1111 Equality of opportunity.

Rule 11. (1) The state board and the superintendent of public instruction holds that all pupils in educational programs at any level shall have equal access to opportunities to maximize their full development as a resource in a democratic society. Each Michigan teacher preparation institution shall provide prospective teachers access to theoretical knowledge and practical experiences for the development of cultural competence needed to respect differences and to avert disparate treatment based on race, religion, color, national origin or ancestry, age, gender preference, physical attributes, marital status and disability.

(2) An applicant for provisional certification shall show an awareness that Michigan's constitution and laws guarantee the right to equal educational opportunity without discrimination because of race, religion, color, national origin or ancestry, age, sex, marital status, or disability.

(3) An applicant for provisional certification has an important responsibility to create a climate for learning based upon the practice and an understanding of equality of educational opportunity in its fullest sense.

(4) An applicant for provisional certification who is otherwise qualified shall not be denied the right to be certified by the superintendent of public instruction, to receive training for the purpose of becoming a teacher, or to engage in practice teaching in any school because he or she is blind, deaf, or physically disabled in some other manner. A school district shall not refuse to engage a teacher who is disabled on such grounds if the teacher is able to carry out the duties of the position in the school district for which he or she applies.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1979 AC; 1989 MR 6, Eff. July 8, 1989; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1115 Applications; semester credit hours.

Rule 15. (1) The application for a certificate, permit, or authorization shall be directed to the superintendent of public instruction and submitted on a form supplied or approved by the superintendent of public instruction.

(2) Semester credit hours toward certification shall be completed through an approved teacher preparation institution, or accepted in transfer by such an institution, and shall be acceptable toward requirements for a provisional teaching certificate and a bachelor's or higher degree. The superintendent of public instruction reserves the right to determine the acceptability of

Annual Administrative Code Supplement
2006 Edition

credit hours presented for certification from approved teacher preparation institutions located in other states.

(3) For the purpose of initial certification, authorization, or endorsement, passing test scores on the state teacher preparation content area tests are valid for 5 years from the date of testing. Basic skills test scores are valid indefinitely.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1117 Certificate restrictions and expiration.

Rule 17. (1) A certificate, permit, and an authorization have certain restrictions as to the nature of teaching for which the holder may be employed. The applicant and employer shall be thoroughly familiar with the specific provisions regarding the validity of the several certificates.

(2) All certificates, permits, and authorizations expire on June 30 of the expiration year indicated on the certificate or permit with the exception of the temporary teacher employment authorization and the 2-year extended provisional renewal, or unless otherwise noted on the certificate, permit or authorization.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1118 Nullification of teaching certificate.

Rule 18. (1) The holder of a Michigan teaching certificate may request the superintendent of public instruction to immediately nullify a teaching certificate, 1 or more certificate endorsements based on a major or minor in a substantive field of study, or a grade level certification if the grade level certification has not been used for employment purposes for 10 or more years. Grade level certification means a certificate endorsement for the extension of the grade level validity of an existing certificate, as defined in R 390.1129.

(2) Any nullification approved by the superintendent of public instruction shall take effect immediately.

(3) Requests for nullification shall be made on an application form provided by the department. An application for nullification may be withdrawn by the applicant any time before the approval. A request shall be made in writing.

(4) Any certificate, endorsement, or grade level certification that has been nullified shall not be reinstated.

History: 1992 MR 8, Eff. Sept. 2, 1992; 2006 MR 22, Eff. Nov. 20, 2006.

PART 2. STATE PROVISIONAL CERTIFICATES

R 390.1121 General provisions.

Rule 21. (1) A candidate for certification shall make an application for provisional certification within 5 years after certification requirements have been met. The recommendation by the teacher preparation institution is valid for 5 years.

(2) The requirements in this part of the code for the several certificates are minimum requirements.

(3) Persons enrolled in teacher education institutions in this state shall comply with this part upon the effective date of these rules.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1122 General education; substantive fields.

Rule 22. (1) An applicant for a provisional certificate shall present evidence of the completion of an approved program of general or liberal education, including English, literature, humanities, social sciences, mathematics, natural or physical sciences, and the arts.

(2) An applicant shall achieve a passing score on all components of the state teacher preparation basic skills test before assignment to directed student teaching.

(3) An applicant shall present evidence of completion of an approved program in any substantive field he or she proposes to teach. At the secondary level, such specialization is earned by completing a major or its equivalent in a specific substantive field. At the elementary level, responsibility for introducing pupils to many areas of human knowledge or inquiry shall not deprive the prospective teacher of the opportunity to develop a degree of specialization in a particular substantive field. Evidence of content mastery by both elementary and secondary candidates shall include a passing score on the state teacher preparation content area tests before certificate recommendation. The applicant shall have early and ongoing field experiences before student teaching. Therefore, the applicant shall present evidence that he or she has begun to master a substantive field and is able, because of his or her teaching skills, to stimulate pupils to seek more knowledge and understanding.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1123 Professional education.

Rule 23. (1) An applicant for an elementary or secondary Michigan provisional certificate shall present evidence of the completion of at least 20 semester credit hours of theoretical and practical knowledge that reflect the state board approved standards and related proficiencies. These standards and related proficiencies articulate the knowledge, skills, and disposition

Annual Administrative Code Supplement
2006 Edition

entry level teachers should possess upon completion of an approved teacher preparation program. Programs at state board approved teacher preparation institutions in this state shall comply with this part after the effective date of these rules.

(2) The applicant shall present evidence of participation a supervised directed teaching experience at the level for which the certificate is to be granted. The directed teaching assignment shall be for a minimum duration of 12 weeks and for a minimum of 6 semester credit hours.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; 1986 MR 11, Eff. Dec. 5, 1986; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1124 Scholastic averages; directed teaching.

Rule 24. (1) An applicant for an elementary or secondary provisional certificate shall present evidence of satisfactory completion of course credits and shall have passed the state teacher preparation basic skills test before assignment to directed teaching. To qualify for a certificate, an applicant shall obtain satisfactory college credit in directed teaching. An applicant shall have satisfactory college credit in the required hours for each successive certificate and shall meet other standards or requirements, as determined by the teacher preparation institution.

(2) For certification purposes, a minimum of 30 clock hours of classroom teaching and observation under the supervision of a teacher preparation institution is equivalent to 1 semester credit hour in directed teaching. The directed student teaching experience shall engage the applicant in practical experiences that reflect and support the standards and related proficiencies for entry level teachers. An applicant shall satisfactorily complete the directed student teaching experience.

(3) The directed teaching requirement for the initial elementary or secondary provisional certificate may be waived for an experienced teacher as follows:

(a) For an applicant with an earned master's or higher degree and 3 years of successful teaching experience at the appropriate level, together with a recommendation from the school superintendent and the teacher preparation institution regarding the certificate, the requirement of 6 semester credit hours may be waived entirely or in part.

(b) For an applicant with less than an earned master's or higher degree, but with 5 years of successful teaching experience at the appropriate level, together with a recommendation from the school superintendent and the teacher preparation institution regarding the certificate, the requirement of 6 semester credit hours of directed student teaching may be waived, entirely or in part.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; 1989 MR 6, Eff. July 8, 1989; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1125 Degree and recommendations.

Rule 25. (1) An applicant for a provisional certificate shall have been granted a bachelor's degree and shall be recommended by a Michigan college or university approved for teacher preparation by the state board. A Michigan college or university approved for teacher preparation may accept a degree from a regionally accredited institution if it is determined that the degree is equivalent to that awarded by the teacher preparation institution. The superintendent of public instruction reserves the right to determine the acceptability of degree equivalent recommendations.

(2) The teacher preparation institution shall make recommendations concerning all certificates.

(3) When submitting recommendations concerning all initial provisional certificates and authorizations, the applicant shall present a valid certificate as evidence of completion of a course approved by the department in first aid and cardiopulmonary resuscitation.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1954 ACS 93, Eff. Oct. 5, 1977; 1979 AC; 1989 MR 6, Eff. July 8, 1989; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1126 State elementary provisional certificates.

Rule 26. (1) An initial state elementary provisional certificate may be issued to an applicant who presents evidence that he or she has completed the requirements in R 390.1123 and either of the following:

(a) A major of not less than 30 semester credit hours or a group major of 36 semester credit hours and, in addition to such major or group major, a planned program minor of 20 semester credit hours in other substantive fields deemed appropriate to elementary education. After July 1983, there shall be evidence to prove that the applicant has completed 6 semester credit hours in the teaching of reading.

(b) Three minors of not less than 20 semester credit hours each, 2 of which shall be in substantive fields which may include a group minor of 24 semester credit hours and the third to be a minor of 20 semester credit hours or a group minor of 24 semester credit hours in content area appropriate to elementary education. After July 1, 1983, there shall be evidence to prove that the applicant has completed 6 semester credit hours in the required reading courses.

(2) A state elementary provisional certificate which is issued after September 1, 1988, is valid for teaching all subjects in grades kindergarten to and including 5, for teaching subject area endorsements in grades 6 to and including 8 in which the

Annual Administrative Code Supplement
2006 Edition

applicant has completed a major or minor, and for teaching all subjects in grades kindergarten to and including 8 when those subjects are taught in a self-contained classroom in which a majority of the instruction is provided by 1 teacher. All initial provisional certificates issued within a calendar year expire 6 years from June 30 of that year.

(3) A conviction of a crime described in MCL 380.1535a(2) is considered to be reasonable and adversely related to the ability of the person to serve in an elementary or secondary school and is sufficient grounds for denial of a teaching certificate or state board approval.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; 1979 ACS 7, Eff. July 14, 1981; 1986 MR 11, Eff. Dec. 5, 1986; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1127 State secondary provisional certificates.

Rule 27. (1) An initial state secondary provisional certificate may be issued to an applicant who presents evidence of the completion the requirement in R 390.1123 and all of the following:

(a) A major of not less than 30 semester credit hours or a group major of not less than 36 semester credit hours or a comprehensive group major of not less than 50 semester credit hours.

(b) A minor of not less than 20 semester credit hours or a group minor of not less than 24 semester credit hours. Upon the effective date of these rules, obtaining an endorsement in a required minor preparation is optional.

(c) After July 1, 1983, 3 semester credit hours in reading instruction as appropriate to the content area.

(2) An initial state secondary provisional certificate which is issued after September 1, 1988, is valid for teaching in subject areas in grades 6 to and including 12 in which the applicant has completed an approved endorsement program. Secondary teaching certificates issued before September 1, 1988, are also valid for teaching in subject area endorsements in grades 6 to and including 12. All initial provisional certificates issued within a calendar year expire 6 years from June 30 of that year.

(3) A conviction of a crime described in MCL 380.1535a(2) is considered to be reasonable and adversely related to the ability of the person to serve in an elementary or secondary school and is sufficient grounds for denial of a teaching certificate or state board approval.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; 1979 ACS 7, Eff. July 14, 1981; 1986 MR 11, Eff. Dec. 5, 1986; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1128 Additional subject area endorsements.

Rule 28. A person who is already certificated and who wishes to qualify for an additional subject area endorsement may combine coursework to meet preparation standards in the specialty area with already earned semester credit hours to bring the total up to the minimum number of required credits as specified in these rules. Upon completion of the credits and passage of the state teacher preparation content area test or tests, the additional endorsement shall be recommended by a teacher preparation institution.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1979 AC; 1986 MR 11, Eff. Dec. 5, 1986; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1129 Additional certificate endorsements.

Rule 29. (1) The holder of an elementary or secondary provisional, permanent, continuing, or professional education certificate may qualify for another certificate endorsement by presenting evidence that he or she has completed 1 of the following endorsement programs with a minimum of 20 semester credit hours:

(a) Early childhood.

(b) General elementary.

(c) Middle school level.

(d) Areas appropriate to the secondary grades.

(2) The general elementary and middle school endorsements shall include not less than 6 semester credit hours in the teaching of reading, which shall include reading in the content areas and studies in developmental reading. When the planned program is completed following the issuance of the initial provisional state certificate, a person may apply the credit to the requirements for the professional education certificate. If the endorsement covers the kindergarten to and including grade 12 range, the program shall include the 6 semester credit hours of required reading preparation.

(3) Upon successful completion of requirements, a Michigan institution approved for teacher preparation or an approved out-of-state institution, as authorized by the provisions of R 390.1132(1)(c), may recommend the additional certificate endorsement.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; 1979 ACS 6, Eff. May 22, 1981; 1986 MR 11, Eff. Dec. 5, 1986; 1989 MR 6, Eff. July 8, 1989; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1129a Procedures at expiration of provisional certificates.

Rule 29a. (1) To be qualified for teaching at the expiration of an elementary or secondary provisional certificate or temporary

Annual Administrative Code Supplement
2006 Edition

vocational authorization certificate, an applicant shall qualify within the provisional or interim occupational certificate period for a professional education or occupational education certificate. If the applicant does not so qualify, a 3-year renewal of the provisional or interim occupational certificate may be granted if the applicant presents evidence that he or she has completed 9 semester credit hours in a planned program at an approved teacher preparation institution since the issuance of the provisional or temporary vocational authorization certificate or that he or she holds an earned master's or higher degree in areas appropriate to kindergarten to and including grade 12. Beginning July 1, 2007, the applicant shall present evidence of the satisfactory completion of the additional state required course of study in the diagnosis and remediation of reading disabilities and differentiated instruction, including field experiences. A second 3-year renewal may be granted if the applicant presents evidence that he or she has earned 18 semester credit hours after the issuance of the provisional or interim occupational certificate in a planned course of study that is applicable toward the requirements for a professional education or occupational education certificate or that he or she holds an earned master's or higher degree. If the planned program is completed at an out-of-state teacher preparation institution, the planned program shall be a specific masters or higher degree program or an additional subject area endorsement program of at least 20 semester credit hours. A master's or higher degree completed for purposes of certificate renewal cannot be a degree in religion, law, or medicine, or other content inappropriate for teaching at the kindergarten to and including grade 12 level. The teacher preparation institution may determine which courses or credits are applicable to an endorsement or planned program. All initial provisional certificate renewals issued within a calendar year expire 3 years from June 30 of that year.

(2) The teacher preparation institution shall make a recommendation concerning the certificate.

(3) Additional 3 year renewals of a provisional or interim occupational certificate may be obtained after the expiration of the second provisional or temporary vocational authorization certificate renewal if all semester credit hours for a professional or occupational education certificate have been completed. An employing Michigan school district or nonpublic school may sponsor a teacher for additional 3 year provisional or interim occupational certificate renewals. An applicant shall apply to the superintendent of public instruction for renewal within 30 days after the employment of the teacher in a full-time or part-time regular teaching assignment. Additional renewals are not available for substitute teaching or for applicants who have already met continuing, professional, or occupational education certificate requirements.

(4) The superintendent of public instruction may approve the issuance of a 2-year extended provisional teaching certificate, temporary vocational authorization, or interim occupational certificate upon the application of a Michigan school district or nonpublic school to a teacher whose provisional, temporary vocational authorization, or interim occupational certificate has expired and who has not earned sufficient credits for regular renewal, provided the following conditions are met:

(a) The teacher is an employee of the applying school district or nonpublic school.

(b) The teacher's original provisional, temporary vocational authorization, or interim occupational certificate expired within the 10-year period preceding the year of application.

(c) The teacher shall be currently enrolled in an approved 18 semester credit hour planned program or masters or higher degree program at an approved teacher preparation institution.

(d) The teacher shall verify at least 1 year of teaching experience within the validity of the teaching certificate at the time of application.

(e) With the issuance of the 2-year extended provisional certificate, the teacher waives the candidate's rights to further renewals of the provisional certificate.

(5) An individual who holds an expired provisional, temporary vocational authorization, or interim occupational certificate, but holds a valid certificate from another state, who has taught within the grade level and subject area endorsement or endorsements to the validity of the certificate for at least 1 year in the preceding 5-year period is eligible for a 3-year renewal of the provisional, temporary vocational authorization, or interim occupational certificate.

History: 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; 1989 MR 6, Eff. July 8, 1989; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1130 Reciprocity.

Rule 30. (1) The superintendent of public instruction may enter into written agreements with the states for the mutual acceptance of 1 or more types of teaching certificates issued by each state. The department of education shall publish and distribute annually a list of states with which reciprocity agreements are signed, or whose certificates are accepted in a similar manner to Michigan.

(2) Under the reciprocity agreement in subrule (1) of this rule, the superintendent of public instruction may issue a provisional certificate to a person who meets the following requirements:

(a) The applicant has, or is eligible for, a teaching certificate issued by the certifying authority of any other state in which requirements for certification are deemed equivalent to those in effect in this state.

(b) The applicant has successfully completed a course in first aid, which includes cardiopulmonary resuscitation (adult and child).

(c) The applicant has passed the Michigan teacher preparation basic skills and appropriate content area tests.

Annual Administrative Code Supplement
2006 Edition

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

PART 3. STATE PROFESSIONAL EDUCATION CERTIFICATES

R 390.1132 State elementary or secondary professional education certificates.

Rule 32. (1) A state elementary or secondary professional education certificate may be issued to an applicant who presents evidence that he or she has completed all of the following requirements:

(a) The applicant has taught successfully for 3 years according to the validity of the provisional certificate and since the issuance of the provisional certificate, as determined by the superintendent of public instruction and upon recommendation of the teacher preparation institution and the school district or nonpublic school.

(b) The applicant has earned 18 semester credit hours after the issuance of the state provisional certificate in a planned course of study that is approved by the teacher preparation institution. The planned program is either in the subject area endorsement or endorsements on the certificate or is planned to support the teaching of an academic subject with deeper knowledge and additional skills or other areas related to K-12 teaching or support services. Beginning July 1, 2007, the planned program may include the satisfactory completion of the additional state required course of study in the diagnosis and remediation of reading disabilities and differentiated instruction, including field experiences. The 18 semester credit hours may include the reading credit required in subdivision (d) of this subrule. A person with an earned master's or higher degree in areas appropriate to kindergarten to and including grade 12 teaching is not required to complete the 18-semester credit hour planned program. Applicants with an earned master's or higher degree shall have completed the reading credit required in subdivision (d) of this subrule.

(c) The applicant may apply for a professional education certificate after completing a course of study at an out-of-state teacher preparation institution which is accredited by a regional or national accreditation agency recognized by the state board, if semester credit-hours comprising a planned course of study are applicable toward a master's or higher degree or an additional subject area endorsement program of at least 20 semester credit hours.

(d) Beginning July 1, 1983, the applicant has completed a minimum of 6 semester credit hours of teaching reading for an elementary professional education certificate or a minimum of 3 semester credit hours of reading instruction as appropriate to the content area for a secondary professional education certificate. This reading credit shall have been completed at any time before application for the professional education certification.

(e) A masters or higher degree completed for purposes of certificate advancement or renewal cannot be a degree in religion, law, or medicine. The teacher preparation institution may determine which courses or credits are applicable to an endorsement or planned program.

(2) Teachers who hold National Board for Professional Teaching Standards certification are eligible to receive a professional education certificate with the same 10-year validity span as the national board certificate with an expiration date of June 30 of the year following the expiration of the national board certificate.

(3) Out-of-state applicants who meet requirements for the professional education certificate as their initial Michigan teaching certificate are not required to take and pass the state teacher preparation content area test or tests under section 1531(5) of 1976 PA 451, MCL 380.1531(5), unless the applicant is seeking additional subject area endorsement or endorsements that are shown on the out-of-state certificate.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; 1979 ACS 7, Eff. July 14, 1981; 1989 MR 6, Eff. July 8, 1989; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1133 Rescinded.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; 1979 ACS 7, Eff. July 14, 1981; 1989 MR 6, Eff. July 8, 1989; rescinded 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1134 Validity of permanent or continuing certificate or full vocational authorization.

Rule 34. (1) A permanent or continuing certificate or full vocational authorization retains its validity if the holder is employed in an educational capacity for a minimum of 100 days in any given 5-year period.

(2) A permanent or continuing certificate or full vocational authorization is lapsed automatically if the holder is not employed in an educational capacity for the minimum of 100 days in the 5-year period.

(3) A lapsed permanent or continuing certificate or full vocational authorization may be reinstated for an applicant who presents evidence that he or she meets either of the following requirements:

(a) Holds a master's or higher degree from an approved teacher preparation institution.

(b) Has completed, subsequent to the lapsing, 6 semester credit hours of satisfactory college credit from an approved teacher preparation institution.

(4) A lapsed permanent or continuing certificate or full vocational authorization may be reinstated provisionally for 1 year by

Annual Administrative Code Supplement
2006 Edition

the superintendent of public instruction upon the request of a school district or nonpublic school that is willing to employ and sponsor the holder full-time for 1 year. The provisional reinstatement shall be authorized to the sponsoring school district or nonpublic school in the name of the holder under the following conditions:

(a) During the reinstatement period, the employing school district or nonpublic school shall provide appropriate classroom supervision to the teacher candidate for reinstatement of the certificate or authorization. The employer shall submit a written evaluation to the superintendent of public instruction at the end of the 1-year reinstatement period.

(b) When the employer reports the completion of 1 year of successful experience during the reinstatement period, the permanent or continuing certificate or full vocational authorization shall be fully reinstated.

(c) When the employer reports that the reinstatement year of experience was unsuccessful, the holder of the lapsed certificate or authorization shall enroll in a teacher preparation institution of his or her choice and complete a minimum of 6 semester credit hours selected to improve the teaching skills identified by the sponsoring employer as deficient during the 1-year reinstatement period. Upon successful completion of that additional credit, the permanent or continuing certificate or full vocational authorization shall be fully reinstated.

(5) A permanent, continuing, or full vocational authorization certificate is valid for teaching in this state in the grades, subjects, or levels specified on the certificate.

(6) This rule shall remain applicable to permanent or continuing certificates or full vocational authorizations.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1954 ACS 74, Eff. Jan. 19, 1973; 1954 ACS 83, Eff. May 7, 1975; 1979 AC; 1986 MR 11, Eff. Dec. 5, 1986; 1989 MR 6, Eff. July 8, 1989; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1135 Professional education certificate or occupational education certificate; renewal.

Rule 35. (1) An initial professional education certificate or occupational education certificate is valid from the date of issuance in a given year to June 30 of the expiration year and shall be renewed, on proper application, upon the applicant's completion of at least one of the following:

(a) Six semester credit hours of academic credit at any recognized university or college or Michigan community college.

(b) Eighteen state board continuing education units, or other state board approved equivalent options completed through professional development programs that support the teaching of an academic subject with additional content knowledge, pedagogy, instructional technology or other needs related to the teachers' practice or professional activities defined and approved by the superintendent of public instruction or that are consistent with the certificate holder's professional development plan.

(2) A combination of semester credit hours and state board continuing education units may be used to meet requirements for renewal. Three state board continuing education units are an alternative to 1 semester credit hour. Additional semester credit hours beyond the required 6 semester credit hours or equivalent in state board continuing education units earned during any certificate validity span shall not be applied toward any subsequent renewals.

(3) All professional education or occupational education certificates issued within a calendar year expire 5 years from June 30 of that year.

(4) To renew an expired professional education or occupational education certificate, a person shall apply to the superintendent of public instruction for a renewal and shall present evidence of the completion of 6 semester credit hours, or their equivalent, in approved professional development programs or approved professional activities as defined in subrule (1) of this rule, within the 5 year period preceding the date of application and after the date of issuance of the previous certificate for renewal.

(5) Credit completed out of state shall support the teaching of subjects or other needs related to the teacher's practice and shall have been completed at an approved teacher preparation institution holding either regional or national accreditation.

(6) This rule applies to all candidates who apply and qualify for a professional education certificate or an occupational education certificate after June 30, 1992.

History: 1986 MR 11, Eff. Dec. 5, 1986; 1989 MR 6, Eff. July 8, 1989; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1136 Rescinded.

History: 1989 MR 6, Eff. July 8, 1989; rescinded 2006 MR 22, Eff. Nov. 20, 2006.

PART 4. STATE SPECIAL PERMITS

R 390.1141 General provisions.

Rule 41. (1) On application, the superintendent of public instruction shall issue to a school district or nonpublic school a special permit to employ a person who has met all statutory requirements by submitting evidence of the completion of the prescribed amount of satisfactory college credit from an approved college or university. The permit shall be a full-year, emergency, or substitute permit.

Annual Administrative Code Supplement
2006 Edition

(2) A full-year or substitute permit or renewal of either permit is issued to the recommending superintendent or personnel officer, who shall apply for such permit or renewal and who shall affirm under oath that the requirements for the requested permit or renewal have been met, including that a certificated teacher is not available for employment. The recommending superintendent or personnel officer receiving the permit or renewal shall hold the permit or renewal for the person.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1954 ACS 54, Eff. May 15, 1968; 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; 1989 MR 6, Eff. July 8, 1989; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1142 Full-year permit approvals.

Rule 42. (1) Full-year permit shall be issued when the school district or nonpublic school has posted and advertised the position at college and university placement offices and the appropriate mass media and a properly certificated teacher is unavailable for a teaching assignment.

(2) An application for a full-year special permit approval shall contain evidence that the candidate has completed a bachelor's degree or higher at an approved regionally or nationally accredited teacher preparation institution. When the permit is requested for an assignment to teach a core academic subject, the candidate shall present evidence of completion of an academic major in the subject or obtaining a passing score on the appropriate state board approved teacher certification subject test before issuance of the permit.

(3) The full-year permit is valid for teaching in the grades or subjects or grade and subjects specified on the permit for the school year for which the permit is issued.

(4) A full-year permit may be renewed when evidence is presented that the person in the regular teaching assignment has completed 6 additional semester credit hours of satisfactory credit toward appropriate teacher certification for that assignment and has been assigned to 1 or more master teachers who shall serve as a mentor. The full-year permit approval may be renewed for a maximum of 2 years without reposting the position if the renewal credit hours and mentoring requirements are met. For a teacher who presents evidence of the completion of an academic major in a core subject or who is assigned to teach a non-core subject, the teacher shall pass the state teacher preparation basic skills test and appropriate subject area tests within 3 years after employment under the full-year permit.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1979 AC; 1989 MR 6, Eff. July 8, 1989; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1143 Substitute permit approvals.

Rule 43. (1) A school district or nonpublic school may apply for a substitute permit approval for an individual who has completed not less than 90 semester credit hours of satisfactory college credit. The credit shall be consolidated at one 4-year regionally accredited college or university.

(2) The substitute permit is valid for teaching on a substitute basis from September 1 to August 31 of a given school year. Teaching on a substitute basis means teaching when the regular certificated teacher is temporarily absent. The permit is not valid for any regular or extended teaching assignment. An established or extended teaching assignment is defined as an assignment to the same classroom for more than 90 calendar days.

(3) Individuals who hold valid Michigan teaching certificates are not required to have a substitute permit approval for teaching in short term assignments of 90 calendar days or less outside of the grade level and subject area validity of their teaching certificates.

(4) A substitute permit is renewable each year.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1954 ACS 54, Eff. May 15, 1968; 1979 AC; 1989 MR 6, Eff. July 8, 1989; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1144

Source: 1997 AACS.

R 390.1145 Permits in emergency situations.

Rule 45. (1) In emergency situations and on recommendation of the superintendent or administrator of a school district or nonpublic school, the superintendent of public instruction may issue an emergency permit for a candidate who holds a bachelor's or higher degree in the content to be taught from a regionally or nationally accredited college or university or who is currently enrolled in an approved teacher preparation program and has completed not less than 90 semester credit hours towards teacher certification. An emergency permit approval shall only be issued if the school district or nonpublic school has searched and is unable to find an appropriately certificated teacher or an individual who meets full year permit approval requirements and if failure to authorize this emergency permit will deprive children of an education. The permit shall be issued for a specific period of time under emergency circumstances. A labor dispute is not an emergency circumstance.

(2) Emergency permits may be renewed if the school district or nonpublic school can sufficiently provide evidence that the emergency situation continues to exist and that the individual is enrolled in a teacher preparation program, has completed a

Annual Administrative Code Supplement
2006 Edition

minimum of 6 semester credit hours toward appropriate certification, and is assigned to a mentor teacher.

History: 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; 1989 MR 6, Eff. July 8, 1989; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1146 Permits; noncertificated; nonendorsed.

Rule 46. (1) A school district or nonpublic school pursuant to section 1233b of 1976 PA 451, MCL 380.1233b, is authorized to employ a noncertificated, nonendorsed, teacher for grades 9 to and including 12 in the subject areas of computer science, foreign languages, mathematics, biology, chemistry, engineering, physics, and robotics or other subjects, as approved by the superintendent of public instruction, provided the individual meets the following requirements:

(a) A bachelor's degree from an accredited postsecondary institution.

(b) A major or a graduate degree in the field of specialization in which the candidate will teach.

(c) In the 5-year period immediately preceding the date of hire, not less than 2 years of occupational experience in the field of specialization in which the candidate will teach. An individual who teaches in the area of foreign language is exempt from this requirement.

(d) Verification that the employing school district or nonpublic school has posted and advertised the position and has been unable to find an appropriately certificated teacher for the assignment.

(2) The requirements in subrule (1) of this rule may be waived if the following conditions are met:

(a) The noncertificated, nonendorsed teacher is annually and continually enrolled in and completing credit in an approved teacher preparation program leading to appropriate certification or endorsement.

(b) The noncertificated, nonendorsed teacher has a planned program leading to teacher certification or endorsement on file with the employing school district or nonpublic school, the candidate's teacher preparation institution and the department of education.

(3) If the school district or nonpublic school wishes to employ a noncertificated, nonendorsed teacher in 1 of the designated subject areas for more than 1 year, the teacher shall pass both the state teacher certification basic skills and subject area examinations (if a subject area examination exists) in the field of specialization in which the candidate will teach, and shall be assigned a mentor teacher.

History: 1989 MR 6, Eff. July 8, 1989; 2006 MR 22, Eff. Nov. 20, 2006.

PART 5. TEACHER PREPARATION INSTITUTIONS

R 390.1151 Approved teacher preparation institutions and specialty programs.

Rule 51. (1) The state board approves standards and procedures for reviewing prospective teacher preparation institutions to prepare and recommend candidates for initial certification. The superintendent of public instruction shall make recommendations to the state board for the initial state approval of teacher preparation institutions based on state board approved standards and procedures.

(2) Continued approval of teacher preparation institutions by the superintendent of public instruction requires either accreditation of the preparation program by an accrediting body that is recognized by the United States department of education or a recommendation for approval to the superintendent of public instruction from a state review process.

(3) The superintendent of public instruction shall approve specialty programs in accordance with state board approved standards for teacher preparation. Specialty programs may result in endorsements issued on a teaching certificate.

(4) Upon request of the superintendent of public instruction, a preparation institution shall present a report of its teacher preparation curricula and specialty program offerings. The programs of an approved teacher preparation institution are subject to periodic review by the superintendent of public instruction. All reports of the nationally recognized teacher preparation accrediting body shall be maintained by the superintendent of public instruction.

(5) An institution recommending candidates for teaching certificates shall establish selection techniques which ensure that only qualified candidates are admitted to the teacher preparation program and that only qualified candidates are recommended for certification or additional endorsements.

(6) All specialty programs offered by an approved teacher preparation institution shall be in subject matter fields pertinent to teaching at the level for which certification is to be recommended as approved by the state board. The state board reserves the right to determine the criteria for accepting certification of candidates prepared in out-of-state teacher preparation institutions and in accordance with state law.

(7) An endorsement program may be designated by the state board with options or requirements for teaching in grades kindergarten to and including grade 12.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1954 ACS 74, Eff. Jan. 19, 1973; 1954 ACS 93, Eff. Oct. 5, 1977; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1152 Approved teacher preparation institutions; equivalence option.

Annual Administrative Code Supplement
2006 Edition

Rule 52. (1) An approved Michigan teacher preparation institution may award semester credit hours based upon previously completed course work or previous life learning experiences in partial fulfillment of requirements for an institution's approved programs for certification or specialty endorsements.

(2) Equivalence options are prohibited for specific legal requirements for candidates seeking initial provisional certification.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1153 Approved teacher preparation institutions; experimental programs.

Rule 53. The superintendent of public instruction, at the request of an approved teacher preparation institution, may waive for a specific time particular requirements of this code for experimental teacher preparation programs. A request for such a waiver shall provide sufficient detail as prescribed to allow substantial scientifically based experimentation with preparation programs. An institution shall objectively evaluate and report on the effectiveness of the experiment for the specified time period. The superintendent of public instruction may give approval to continue an experimental program when evaluation data provide evidence of value.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1154 Out-of-state institutions and teacher candidates.

Rule 54. (1) An applicant for certification in this state, who has been educated in an out-of-state teacher preparation institution that is a regionally or nationally accredited institution, shall present evidence of having fulfilled all of the requirements established for residents of this state or as prescribed by law. The superintendent of public instruction may accept credit from an institution accredited by its regional accrediting association.

(2) A candidate from an out-of-state teacher preparation institution that is not regionally or nationally accredited or state approved for teacher preparation, shall seek a transcript review and recommendation for certification by a state approved or nationally accredited Michigan teacher preparation institution.

(3) Semester credit hours obtained from teacher preparation institutions in foreign countries shall be evaluated by an organization approved by the United States office of education and by the superintendent of public instruction in determining eligibility for certification.

(4) An out-of-state candidate with a valid initial elementary or secondary teaching certificate shall present evidence that he or she meets the following requirements:

(a) Has a bachelor's or higher degree from a teacher preparation institution approved by that state's appropriate education agency.

(b) Has completed a program in elementary or secondary education as prescribed by that teacher preparation institution, if the institution is regionally or nationally accredited at the time of his or her graduation. If the out-of-state candidate has not graduated from such an institution, then he or she shall apply to an approved Michigan teacher preparation institution for a credential review and recommendation to the superintendent of public instruction.

(c) Has met the Michigan reading and testing (basic skills and appropriate content area) requirements.

(d) Has successfully completed a course in first aid, which includes cardiopulmonary resuscitation (adult and child).

(5) A 1-year temporary teacher employment authorization may be issued to an out-of-state applicant who presents evidence of the following:

(a) The applicant holds a valid teaching certificate from another state.

(b) The applicant has completed an approved elementary or secondary teacher preparation program.

(c) The applicant meets all requirements for a provisional certificate except for passing the state teacher preparation basic skills and content area tests.

(d) The applicant has successfully completed a course in first aid, which includes cardiopulmonary resuscitation for both children and adults.

(6) Out-of-state applicants may qualify for a professional education certificate as their initial Michigan teaching certificate, and would not be required to pass the state teacher preparation basic skills and content area tests, if the following evidence is presented:

(a) The applicant holds a valid teaching certificate from another state.

(b) The applicant has completed an approved elementary or secondary teacher preparation program.

(c) The applicant has earned, after initial certification, at least 18 semester credit hours in a planned course of study or, earned at any time, a masters or higher degree at a regionally or nationally accredited state approved teacher preparation institution.

(d) If elementary certified, the applicant has completed 6 semester credit hours in the teaching of reading; if secondary certified, the applicant has completed 3 semester credit hours in the teaching of reading.

(e) The applicant has completed 3 years of successful teaching within the grade level and subject area validity of the teaching certificate.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; 2006 MR 22, Eff. Nov. 20,

Annual Administrative Code Supplement
2006 Edition

2006.

R 390.1155 Non-teacher preparation institutions.

Rule 55. An applicant presenting semester credit hours from an institution of higher education not approved for teacher preparation purposes shall complete such semester credit hours as may be required by the state superintendent of public instruction.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1156 Distance learning.

Rule 56. (1) Distance learning credits from an approved teacher preparation program may apply toward requirements for continuing certification.

(2) Programs for initial teacher certification shall include some face-to-face interactions and early and ongoing structured supervised field experiences appropriate to the content and levels of certification.

History: 1954 ACS 52, Eff. Nov. 15, 1967; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1157 Rescinded.

History: 1979 ACS 6, Eff. May 22, 1981; rescinded 2006 MR 22, Eff. Nov. 20, 2006.

PART 6. VOCATIONAL ENDORSEMENT AND AUTHORIZATION

R 390.1161 State secondary provisional certification with vocational endorsement.

Rule 61. (1) An applicant for vocational endorsement shall meet the requirements for state secondary provisional certification as described in part 2 of these rules as well as presenting evidence of completing all of the following:

(a) A program with a minimum of 6 semester credit hours, or equivalent, of coursework in vocational teacher education at an institution approved by the state board for the preparation of vocational teachers.

(b) Program requirements, as defined by the state board, for each vocational endorsement.

(c) Two years of work experience in the occupational area of the endorsement or completion of a planned equivalent program of directed supervised occupational experience approved by the department of education. The occupational experience shall be characterized by its relevancy and recency.

(2) Vocational endorsement is valid for teaching in the stated occupational area in approved vocational education programs.

History: 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1162 State secondary professional education certification with vocational endorsement.

Rule 62. A state professional education certificate with a vocational endorsement may be issued to an applicant who has met the requirements for professional education certification as described in part 3 of these rules and who has presented evidence that he or she has completed both of the following requirements:

(a) Taught successfully for 3 years according to the validity of his or her provisional certificate or vocational endorsement and since the issuance of the provisional certificate or vocational endorsement, as determined by the superintendent of public instruction and upon recommendation of the teacher preparation institution and the employing school district.

(b) Earned 18 semester credit hours after the issuance of his or her state provisional certificate and vocational endorsement in a planned course of study, which includes a minimum of 9 semester credit hours of relevant vocational education. This advanced course of study is applicable to the applicant's professional development in vocational relevant coursework. A person who possesses an earned master's or higher degree is not required to complete the 18-semester-credit hour planned program or the 9 semester credit hours of relevant vocational education.

History: 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; 1989 MR 6, Eff. July 8, 1989; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1163 Interim occupational certificate (formerly called temporary vocational authorization).

Rule 63. (1) An interim occupational certificate may be issued upon the report of a designated occupational teacher preparation institution to an applicant presenting evidence that he or she has met the following requirements:

(a) Possesses a baccalaureate degree.

(b) Has a major or minor in the field of specialization in which occupational certification is being requested.

(c) Has a minimum of 2 years (4,000 hours) of experience in the occupational area concerned or has completed a planned program of directed supervised occupational experience approved by the superintendent of public instruction. The occupational experience shall be characterized by its relevancy and recency.

(d) Has passed both the state teacher preparation basic skills test and appropriate subject area test or tests available at the time of application.

Annual Administrative Code Supplement
2006 Edition

- (e) Has successfully completed a minimum of 6 semester credit hours of professional or vocational education credit.
- (2) The interim occupational certificate is valid for teaching in those courses in which instruction is limited to the occupation specified on the certificate in approved occupational programs. Interim occupational certificates issued within a calendar year expire 6 years from June 30 of that year.
- History: 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1164 Rescinded.

History: 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; rescinded 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1164a Occupational education certificates.

Rule 64a. (1) An occupational education certificate shall be issued to qualified candidates and shall be valid for continued teaching in those courses in which instruction is limited to the occupation specified on the certificate in approved occupational programs.

(2) Applications for the occupational education certificate shall contain evidence that the candidate has met the following:

(a) Has taught successfully for 3 years according to the validity of his or her provisional secondary certificate or interim occupational certificate, as determined by the superintendent of public instruction and upon recommendation of the teacher preparation institution and the school district.

(b) Has completed, since the issuance of the interim occupational certificate or temporary vocational authorization, in the case of the candidate who does not hold a secondary provisional or professional education certificate, a minimum of 9 semester credit hours which are in vocationally related coursework according to the department of education guidelines.

(3) All occupational education certificates issued within a calendar year expire 5 years from June 30 of that year.

History: 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1165 Annual occupational authorization.

Rule 65. (1) If a candidate does not meet the standards described for obtaining the interim occupational certificate, an evaluation of recent and relevant work experience can be used to issue an annual occupational authorization for 1 year to an employing school district. The annual occupational authorization is restricted to grade 9 to 12 assignments.

(2) The annual occupational authorization is valid for teaching those courses in approved programs in which instruction is limited to the occupation specified on the authorization.

(3) A school district shall certify that an occupational education certificated teacher is not available. A school district shall document that an occupational education certificated teacher opening was advertised, but a teacher was not available, before applying for the annual occupational authorization. The advertising requirement does not apply if the noncertificated teacher for whom the annual occupational authorization is sought is annually and continually enrolled and completing credit in an approved occupational teacher preparation program leading to occupational certification. The exemption from the advertising requirement shall not be granted for more than 8 consecutive school years subject to guidelines for program completion determined by the department of education.

History: 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; 1987 MR 10, Eff. Oct. 21, 1987; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1166 Credit from institutions not designated for preparation of occupational teachers.

Rule 66. Candidates for occupational endorsement or authorization who present semester credit hours from a teacher preparation institution not approved by the state board for the preparation of vocational teachers may validate the semester credit hours by satisfying one of the following criteria:

(a) Admission to graduate department, division, or school of a college or university approved for vocational teacher preparation.

(b) Completion of 6 semester hours of acceptable graduate work at an institution approved by the state board for the preparation of vocational teachers.

(c) Meeting the requirements specified by the superintendent of public instruction.

History: 1954 ACS 74, Eff. Jan. 19, 1973; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

PART 10. ADMINISTRATIVE HEARINGS

R 390.1201 Certificates; denial, suspension, or revocation; reinstatement.

Rule 101. (1) The superintendent of public instruction may refuse to grant or renew, or may suspend for a fixed term, or revoke, or may impose reasonable conditions on, a teaching certificate or state board approval granted pursuant to these rules for the following reasons:

(a) Fraud, or material misrepresentation, concealment or omission of fact in the application for, or the use of, a teaching

Annual Administrative Code Supplement
2006 Edition

certificate or state board approval.

(b) Conviction of an offense listed in MCL 380.1535a or MCL 380.1539b.

(2) The superintendent of public instruction may refuse to grant or renew a teaching certificate or a state board approval for failure or ineligibility of the applicant to meet the criteria for the applicable certification or state board approval.

(3) A certificate or state board approval shall not be denied, suspended, or revoked solely on the basis of a conviction, unless the superintendent of public instruction finds that the conviction is reasonably and adversely related to the person's present fitness to serve in an elementary or secondary school in the state or that the conviction demonstrates that the person is unfit to teach in an elementary or secondary school in this state.

(4) A certified copy of the judgment of conviction and sentence is conclusive evidence of conviction of a crime pursuant to MCL 380.1535a or MCL 380.1539b. A conviction of a crime listed in MCL 380.1535a or MCL 380.1539b, or of a substantially similar crime in another state, is considered to be reasonably and adversely related to the ability of the person to serve in an elementary or secondary school and is sufficient grounds for suspension or revocation of the person's teaching certificate or state board approval.

(5) After the completion of a person's sentence and upon application and a showing of good cause, the superintendent of public instruction may grant a new or renewed certificate, or reinstate a suspended or revoked certificate. The superintendent of public instruction shall not grant a new or renewed certificate or reinstate a person's certificate unless the superintendent of public instruction finds that the person is currently fit to serve in an elementary or secondary school in this state and that reinstatement of the person's teaching certificate will not adversely affect the health, safety, and welfare of pupils.

History: 1954 ACS 93, Eff. Oct. 5, 1977; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1202 Contested case; grounds.

Rule 102. A contested case may be instituted pursuant to 1969 PA 306, in the event of a refusal to grant or renew a teacher's certificate, or in the event of a suspension or revocation of a teacher's certificate.

History: 1954 ACS 93, Eff. Oct. 5, 1977; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1203 Investigation.

Rule 103. The superintendent of public instruction shall designate an employee of the Michigan Department of Education to perform the investigatory and prosecutorial functions regarding contested cases pertaining to teacher certification or state board approval. Upon receipt of information which may serve as the basis for a refusal to grant, or renew, suspend or revoke a teaching certificate, or state board approval, the designee of the superintendent of public instruction shall initiate an investigation of that information.

History: 1954 ACS 93, Eff. Oct. 5, 1977; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1204 Written charges; service; notice of opportunity to show compliance.

Rule 104. (1) The designee of the superintendent of public instruction shall prepare and file written charges and shall serve a letter copy of notice of opportunity to show compliance to the teacher in question and shall inform the teacher of hearing rights under these rules, and pursuant to sections 71 to 92 of 1969, PA 306, MCL 24.271 to MCL 24.292. A complete copy of the applicable rules and laws shall be furnished to the teacher.

(2) Within 15 business days of service of the notice of opportunity to show compliance, a teacher may file a request for an informal conference to show compliance. The informal conference shall be a telephone conference, unless otherwise specified, with an authorized representative of the superintendent of public instruction.

(3) After the informal conference, the superintendent's designee may, after considering the evidence presented, direct that a notice of hearing be issued. If, after considering the evidence presented, the superintendent's designee recommends making a finding of compliance or entering into a written settlement of the matter with the teacher without a formal hearing, the superintendent of public instruction shall approve, modify, or deny the recommended action.

History: 1954 ACS 93, Eff. Oct. 5, 1977; 1979 AC; 2004 MR 20, Eff. Nov. 3, 2004; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1205 Rescinded.

History: 1954 ACS 93, Eff. Oct. 5, 1977; 1979 AC; rescinded 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1206 Notice of hearing; written charges; settlement; absence of party.

Rule 106. (1) Following 15 working days of service of the notice of opportunity to show compliance, if the teacher does not request an informal conference, a notice of suspension of the teacher's certificate shall be served upon the teacher.

(2) After an informal conference, and a decision by the superintendent's designee to proceed to hearing, a copy of the written charges shall be served upon the teacher and a request for a hearing shall be submitted to the state office of administrative hearings and rules.

Annual Administrative Code Supplement
2006 Edition

(3) If the teacher fails to attend the hearing, then the hearing may proceed and the decision may be made in the absence of the teacher.

(4) The teacher and the superintendent of public instruction may agree in writing to a settlement of the matter without a hearing.

History: 1954 ACS 93, Eff. Oct. 5, 1977; 1979 AC; 2004 MR 20, Eff. Nov. 3, 2004; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1207 Answer to formal charges; bill of particulars.

Rule 107. (1) A certified teacher or holder of a state board approval may file an answer to formal charges with the designee of the superintendent of public instruction. The answer shall be filed not less than 10 days before the hearing. The designee of the superintendent of public instruction shall file a copy of the answer upon receipt with the state office of administrative hearings and rules.

History: 1954 ACS 93, Eff. Oct. 5, 1977; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1208 Rescinded.

History: 1954 ACS 93, Eff. Oct. 5, 1977; 1979 AC; rescinded 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1209 Filing.

Rule 109. In order to be timely received, any filing required under these rules shall be received by the Michigan Department of Education before the close of business on the last day of the time limit for the filing. Filing may be by facsimile (fax).

History: 1954 ACS 93, Eff. Oct. 5, 1977; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1210 Summary suspension.

Rule 110. If a person who holds a Michigan teaching certificate or state board approval has been convicted of a crime described in MCL 380.1535a(2) and 380.1539b(2), or if the superintendent of public instruction or his or her designee finds that the public health, safety or welfare otherwise requires emergency action, the superintendent of public instruction or his or her designee shall order summary suspension of the person's teaching certificate or state board approval, pursuant to MCL 24.292. The person subsequently shall be provided a prompt opportunity for a hearing as provided under that section. Rules 104 and 106 do not apply to this rule.

History: 1954 ACS 93, Eff. Oct. 5, 1977; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1211 Rescinded.

History: 1954 ACS 93, Eff. Oct. 5, 1977; 1979 AC; rescinded 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1212 Transcript.

Rule 112. A verbatim record will be taken of the proceedings. A party may request a copy of the transcript at the party's expense.

History: 1954 ACS 93, Eff. Oct. 5, 1977; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1213 Exceptions; cross exceptions; briefs.

Rule 113. (1) Within 20 days after service of the proposal for decision, a party may file a written statement with the superintendent of public instruction, setting forth exceptions thereto or to any other part of the record or proceeding, including rulings upon motions and objections. A brief in support of these exceptions may be filed with the superintendent of public instruction. A copy of the exceptions and any brief shall be served on each party to the proceedings.

(2) Within 10 days after service of an exception, a party may file a cross exception and a brief in support thereof, or a brief in support of the proposal for decision. A copy of the cross exceptions and any brief shall be served on each party to the proceedings.

History: 1954 ACS 93, Eff. Oct. 5, 1977; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1214 Oral arguments.

Rule 114. If a party desires to present oral arguments to the superintendent of public instruction, a written request therefor shall be made to the superintendent of public instruction at the time an exception, cross exception, or brief is filed. The superintendent of public instruction on his or her own motion, may direct oral argument or grant or deny a request for oral argument.

History: 1954 ACS 93, Eff. Oct. 5, 1977; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1215 Rescinded.

Annual Administrative Code Supplement
2006 Edition

History: 1954 ACS 93, Eff. Oct. 5, 1977; 1979 AC; rescinded 2006 MR 22, Eff. Nov. 20, 2006.

R 390.1216 Proposal for decision; action by superintendent of public instruction.

Rule 116. (1) The superintendent of public instruction may adopt, modify, or reverse the proposal for decision or remand the case to the state office of administrative hearings and rules for further findings of fact.

(2) A party shall not directly or indirectly communicate with the superintendent of public instruction or persons involved in the review of a proposal for decision, regarding issues of fact or law, except on notice and opportunity for all parties to participate, unless provided by law.

History: 1954 ACS 93, Eff. Oct. 5, 1977; 1979 AC; 2006 MR 22, Eff. Nov. 20, 2006.

DEPARTMENT OF LABOR AND ECONOMIC GROWTH

STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

**ADMINISTRATIVE HEARINGS FOR THE SUSPENSION AND REVOCATION OF MICHIGAN TEACHING
CERTIFICATES**

R 390.1251 Hearings for incarcerated teachers.

Rule 151. For hearings pursuant to the Teacher Certification Code, R 390.1101 et seq, if the teacher is incarcerated at the time of the hearing, then the hearing may be conducted by telephone, video conference, or other electronic media.

History: 2006 MR 13, Eff. July 6, 2006.

DEPARTMENT OF EDUCATION

SUPERINTENDENT OF PUBLIC INSTRUCTION

CERTIFICATION AND LICENSURE OF SCHOOL COUNSELORS

R 390.1301 Definitions.

Rule 1. As used in these rules:

(a) "Approved school counseling program" means a state board approved program in a college or university that has regional accreditation and that prepares school counselors in accordance with these rules.

(b) "Continuing education unit" means credit received for successfully completing a state board approved professional development program.

(c) "Counselor" means an individual who has successfully completed an approved counselor education program and performs a counseling role.

(d) "Counselor educator" means an individual who is employed as a faculty member to teach in an approved school counseling program.

(e) "Department" means the Michigan department of education.

(f) "Elementary level" means grades kindergarten to 8.

(g) "School counselor endorsement" means at least 1 of the following:

(i) Completion of a preparation program with a specialization area in school counseling.

(ii) An endorsement shall be issued to the validity of the grade level of an existing teaching certificate.

(h) "Secondary level" means grades 6 to 12.

(i) "Sponsoring institution" means a higher education institution approved for teacher or counselor education by the state board and which is willing to make recommendations as to applicants for the several certificates pursuant to R 390.1101 to R 390.1216.

(j) "State board" means the state board of education.

(k) "Valid Michigan teaching certificate" means a provisional, professional, continuing, permanent or life teaching certificate issued by the state board enabling the holder to teach at the elementary or secondary school level during the school year in which a person wishes to serve as a counselor.

History: 1954 ACS 68, Eff. June 21, 1971; 1979 AC; 2006 MR 13, Eff. July 6, 2006.

R 390.1302 School counselor; credential; role.

Rule 2. (1) A person who is employed in the role of a school counselor by a local or intermediate school district or nonpublic school shall meet all requirements in these rules with regard to obtaining a school counselor endorsement, a

Annual Administrative Code Supplement
2006 Edition

preliminary employment authorization to work as a school counselor, a temporary school counselor authorization, or a school counselor license.

(2) The sponsoring institution shall make recommendation concerning counselor endorsement, preliminary employment authorization to work as a school counselor, or school counselor license at the appropriate level or levels, elementary and secondary, for which the person qualifies.

(3) “Role of a school counselor” means the following roles in which school counselors serve and which require a school counseling credential:

(a) Provide individual and group counseling services to assist pupils.

(b) Collaborate with staff in planning educational interventions, curriculum, behavioral management plans, and teaching strategies.

(c) Consult and collaborate with pupils, families, school personnel, and appropriate professionals and agency personnel regarding behavioral and educational concerns.

(d) Provide guidance to pupils utilizing technology, career development theory, educational information, and occupational information.

(e) Assess pupils by using assessment, statistics and research methodology, follow-up evaluations, and measurement methods.

(f) Assess school counseling programs using assessment, statistics and research methodology, follow-up evaluations, and measurement methods.

(g) Design, implement, and evaluate a guidance and counseling program focusing on the career, academic, personal, social, emotional and developmental needs of all pupils using, but not limited to, the following functions:

(i) Advising.

(ii) Placement.

(iii) Planning.

(iv) Assessment.

(v) Counseling.

(vi) Coordinating.

(vii) Instructing.

(viii) Referring.

(ix) Programming.

History: 1954 ACS 68, Eff. June 21, 1971; 1979 AC; 2006 MR 13, Eff. July 6, 2006.

R 390.1303 School counselors endorsement; in-state applicant.

Rule 3. An in-state applicant for a school counselor endorsement shall meet all of the following requirements:

(a) Hold a valid Michigan teaching certificate.

(b) Completion of coursework pursuant to section 1233(2)(b) of 1976 PA 451, MCL 380.1233(2)(b).

(c) Successful completion of the department’s school counselor examination.

(d) Recommendation by an approved school counselor education program to provide services as a school counselor. Both of the following apply:

(i) The recommendation for the issuance of a school counselor endorsement shall be made in a manner designated by the department.

(ii) The recommendation shall be made when an applicant has completed the requirements pursuant to this rule.

(e) Completion of not less than 30 graduate level semester hours in school counseling which includes an internship.

(f) Completion of not less than a 600 clock hour internship with school-aged pupils under the supervision of a credentialed school counselor or a school counselor educator in an approved school counseling program. At least 300 of the 600 clock hours shall be in a school setting.

History: 1954 ACS 68, Eff. June 21, 1971; 1979 AC; 2006 MR 13, Eff. July 6, 2006.

R 390.1303a School counselor endorsement; out-of-state applicant.

Rule 3a. (1) An out-of-state applicant for a school counselor endorsement shall meet all of the following requirements:

(a) Hold a valid out-of-state teaching certificate with a school counselor endorsement.

(b) Successful completion of coursework pursuant to section 1233(2)(b) of 1976 PA 451, MCL 380.1233(2)(b).

(c) Completion of the department’s school counselor examination. An out-of-state applicant that meets the conditions pursuant to section 1531(5) of 1976 PA 451, MCL 380.1531(5), may waive the school counselor examination requirement.

(d) Completion of not less than 30 graduate level semester hours in school counseling which includes an internship.

(e) Completion of not less than a 600 clock hour internship with school-aged pupils under the supervision of a credentialed school counselor or a school counselor educator in an approved school counseling program. At least 300 of the 600 clock

Annual Administrative Code Supplement
2006 Edition

hours shall be in a school setting.

(2) An out-of-state applicant shall apply directly to the department of education.

History: 2006 MR 13, Eff. July 6, 2006.

R 390.1304 Preliminary employment authorization to work as a school counselor.

Rule 4. (1) An applicant for a school counselor endorsement or school counselor license may be recommended for the preliminary employment authorization to work as a school counselor upon completion of requirements pursuant to R 390.1303.

(2) A person shall complete both of the following:

(a) Outstanding coursework required for the completion of a school counselor program.

(b) A minimum of 30 semester hours in school counseling.

(3) A preliminary employment authorization to work as a school counselor shall be valid for 3 years from the date of issuance and is nonrenewable.

(4) A sponsoring institution shall make recommendation for preliminary employment authorization in a manner designated by the department. The recommendation shall identify appropriate grade level or levels, elementary, secondary or kindergarten to grade 12, for which the applicant qualifies.

History: 1954 ACS 68, Eff. June 21, 1971; 1979 AC; 2006 MR 13, Eff. July 6, 2006.

R 390.1305 School counselor license; in-state applicants.

Rule 5. (1) An in-state applicant for a school counselor license shall meet all of the following requirements:

(a) Completion of coursework pursuant to section 1233(2)(b) of 1976 PA 451, MCL 380.1233(2)(b).

(b) Successful completion of the department's school counselor examination.

(c) Recommendation by an approved school counselor education program to provide services as a school counselor.

The recommendation for the issuance of a school counselor license shall be made in a manner designated by the department.

(d) Completion of not less than 30 graduate level semester hours in school counseling which shall include an internship.

(e) Completion of not less than a 600 clock hour internship with school-aged pupils under the supervision of a person who is a counselor educator in an approved school counseling program. At least 300 of the 600 clock hours shall be in a school setting.

(2) A school counselor license shall be valid for up to 5 years.

(3) The renewal of a school counselor license requires the completion of 6 semester hours of credit in an approved program or the 18 approved state board continuing education units, or a combination of both. Credit shall be toward an individual's professional development as a school counselor. The following apply:

(a) Renewal credit shall be completed after the date of issuance of a school counselor license and within the 5-calendar-year period before applying for renewal.

(b) Correspondence credit shall not meet the requirements of a school counselor credential or its renewal. Online and distance learning coursework shall meet the requirements of a school counselor license or its renewal if attending a sponsoring institution with an approved school counseling program.

History: 1954 ACS 68, Eff. June 21, 1971; 1979 AC; 2006 MR 13, Eff. July 6, 2006.

R 390.1306 School counselor license; out-of-state applicant.

Rule 6. (1) An out-of-state applicant for a school counselor license shall meet the following requirements:

(a) Has applied directly to the department.

(b) Has successfully completed the department's school counselor examination.

(2) The individual meets at least 1 of the following:

(a) Holds a master's degree or higher in a school counselor education program at an approved out-of-state institution that includes skills and content areas pursuant to section 380.1233(2)(b) of 1976 PA 451, MCL 380.1233(2)(b).

(b) Has completed at least 5 years of successful experience serving in a school counseling role in another state within the immediate preceding 7-year period and holds a bachelor of science or a bachelor of arts degree from an approved counselor education program.

(3) The individual shall provide written documentation of the credential and approval document required by another state to serve in the school counseling role.

(4) The state board may accept a comparable school counselor license from another state as a basis for the issuance of the Michigan school counselor license.

(5) The state board may accept credits presented for licensing from out-of-state accredited institutions. Official transcripts shall be submitted directly to the department with a school counselor license application and other supporting documentation.

History: 2006 MR 13, Eff. July 6, 2006.

Annual Administrative Code Supplement
2006 Edition

R 390.1307 Temporary school counselor authorization; out-of-state applicant.

Rule 7. An out-of-state applicant for a school counselor license who satisfies all other requirements, but has yet to take and pass the required examination, may be issued a 1-year nonrenewable temporary school counselor authorization, which expires 1 year from the date of issuance. The authorization allows the individual to be employed as a school counselor.

History: 2006 MR 13, Eff. July 6, 2006.

R 390.1308 Certificate, license and authorization restrictions and expiration.

Rule 8. (1) A certificate, license, permit, and an authorization have certain restrictions as to the nature of teaching or serving as a school counselor for which the holder may be employed. The applicant and employer shall be thoroughly familiar with the specific provisions regarding the validity of the several certificates.

(2) All certificates or licenses expire on June 30 of the expiration year indicated on the certificate or license with the exception of, the temporary teacher employment authorization, the two-year extended provisional renewal, permits, the preliminary employment authorization to work as a school counselor, and the temporary school counselor authorization, or unless otherwise noted on the certificate, license, permit or authorization.

History: 2006 MR 13, Eff. July 6, 2006.

DEPARTMENT OF TREASURY
MICHIGAN HIGHER EDUCATION ASSISTANCE AUTHORITY
GUARANTEED LOAN PROGRAM
PART 1. GENERAL PROVISIONS

R 390.1401

Source: 1990 AACS.

R 390.1402

Source: 1990 AACS.

R 390.1403

Source: 1990 AACS.

R 390.1404

Source: 1990 AACS.

R 390.1405

Source: 1990 AACS.

R 390.1406

Source: 1997 AACS.

R 390.1407

Source: 1990 AACS.

R 390.1409

Source: 1990 AACS.

R 390.1411

Source: 1990 AACS.

R 390.1412

Source: 1990 AACS.

R 390.1413

Source: 1990 AACS.

Annual Administrative Code Supplement
2006 Edition

R 390.1415
Source: 1990 AACS.

R 390.1417
Source: 1990 AACS.

R 390.1419
Source: 1997 AACS.

R 390.1421
Source: 1990 AACS.

R 390.1422
Source: 1990 AACS.

R 390.1423
Source: 1997 AACS.

R 390.1424
Source: 1997 AACS.

R 390.1425
Source: 1997 AACS.

R 390.1426
Source: 1997 AACS.

R 390.1427
Source: 1997 AACS.

R 390.1429
Source: 1990 AACS.

PART 2. LOAN PROVISIONS AND PROCEEDS

R 390.1431
Source: 1990 AACS.

R 390.1432
Source: 1990 AACS.

R 390.1433
Source: 1990 AACS.

R 390.1434
Source: 1997 AACS.

R 390.1435
Source: 1997 AACS.

R 390.1436
Source: 1990 AACS.

R 390.1437
Source: 1990 AACS.

R 390.1438
Source: 1990 AACS.

PART 3. INTEREST ON LOANS

R 390.1441
Source: 1990 AACS.

R 390.1442
Source: 1990 AACS.

R 390.1443
Source: 1997 AACS.

R 390.1445
Source: 1997 AACS.

PART 4. PAYMENTS, EXTENSIONS, AND DEFERMENTS

R 390.1451
Source: 1990 AACS.

R 390.1452
Source: 1997 AACS.

R 390.1453
Source: 1997 AACS.

R 390.1455
Source: 1990 AACS.

R 390.1456
Source: 1990 AACS.

R 390.1457
Source: 1990 AACS.

PART 5. DEFAULTED LOANS

R 390.1461
Source: 1990 AACS.

R 390.1462
Source: 1997 AACS.

R 390.1463
Source: 1997 AACS.

R 390.1464
Source: 1997 AACS.

R 390.1465
Source: 1997 AACS.

R 390.1466
Source: 1990 AACS.

R 390.1467
Source: 1990 AACS.

Annual Administrative Code Supplement
2006 Edition

R 390.1468
Source: 1997 AACS.

PART 6. FORBEARANCE

R 390.1471
Source: 1990 AACS.

PART 7. LIMITATION, SUSPENSION, OR TERMINATION OF SCHOOL OR LENDER PARTICIPATION

R 390.1481
Source: 1990 AACS.

R 390.1482
Source: 1990 AACS.

R 390.1483
Source: 1990 AACS.

R 390.1484
Source: 1990 AACS.

R 390.1485
Source: 1990 AACS.

R 390.1486
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R 390.1487
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R 390.1489
Source: 1990 AACS.

R 390.1490
Source: 1990 AACS.

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Source: 1990 AACS.

LEGISLATIVE MERIT AWARD PROGRAM

R 390.1502
Source: 1985 AACS.

R 390.1506
Source: 1985 AACS.

R 390.1511
Source: 1985 AACS.

COMPETITIVE SCHOLARSHIP PROGRAM

R 390.1551

Annual Administrative Code Supplement
2006 Edition

Source: 1991 AACS.

R 390.1552

Source: 1991 AACS.

R 390.1553

Source: 1991 AACS.

R 390.1554

Source: 1991 AACS.

R 390.1555

Source: 1991 AACS.

R 390.1556

Source: 1985 AACS.

R 390.1557

Source: 1991 AACS.

R 390.1558

Source: 1991 AACS.

R 390.1559

Source: 1985 AACS.

R 390.1560

Source: 1991 AACS.

R 390.1561

Source: 1980 AACS.

R 390.1562

Source: 1991 AACS.

R 390.1563

Source: 1997 AACS.

R 390.1563a

Source: 1985 AACS.

R 390.1564

Source: 1980 AACS.

R 390.1565

Source: 1991 AACS.

R 390.1566

Source: 1991 AACS.

R 390.1567

Source: 1991 AACS.

R 390.1568

Source: 1991 AACS.

R 390.1569

Source: 1991 AACS.

Annual Administrative Code Supplement
2006 Edition

R 390.1570
Source: 1991 AACCS.

R 390.1571
Source: 1991 AACCS.

MICHIGAN HIGHER EDUCATION STUDENT LOAN AUTHORITY
STATE DIRECT LOAN PROGRAM

R 390.1601
Source: 1990 AACCS.

R 390.1602
Source: 1990 AACCS.

R 390.1603
Source: 1990 AACCS.

R 390.1604
Source: 1990 AACCS.

R 390.1605
Source: 1990 AACCS.

R 390.1607
Source: 1990 AACCS.

R 390.1609
Source: 1990 AACCS.

R 390.1610
Source: 1990 AACCS.

R 390.1611
Source: 1990 AACCS.

MICHIGAN ALTERNATIVE STUDENT LOAN PROGRAM

R 390.1621
Source: 1998-2000 AACCS.

R 390.1622
Source: 1998-2000 AACCS.

R 390.1623
Source: 1998-2000 AACCS.

R 390.1624
Source: 1990 AACCS.

R 390.1625
Source: 1995 AACCS.

R 390.1626
Source: 1998-2000 AACCS.

Annual Administrative Code Supplement
2006 Edition

- R 390.1627**
Source: 1997 AACs.
- R 390.1628**
Source: 1995 AACs.
- R 390.1629**
Source: 1998-2000 AACs.
- R 390.1630**
Source: 1998-2000 AACs.
- R 390.1631**
Source: 1998-2000 AACs.
- R 390.1632**
Source: 1998-2000 AACs.
- R 390.1633**
Source: 1998-2000 AACs.
- R 390.1634**
Source: 1998-2000 AACs.
- R 390.1635**
Source: 1998-2000 AACs.

HIGHER EDUCATION ASSISTANCE AUTHORITY
DIFFERENTIAL GRANT PROGRAM

- R 390.1651**
Source: 1985 AACs.
- R 390.1652**
Source: 1985 AACs.
- R 390.1653**
Source: 1985 AACs.
- R 390.1654**
Source: 1985 AACs.
- R 390.1655**
Source: 1985 AACs.
- R 390.1656**
Source: 1985 AACs.
- R 390.1657**
Source: 1985 AACs.
- R 390.1658**
Source: 1985 AACs.
- R 390.1659**
Source: 1985 AACs.

Annual Administrative Code Supplement
2006 Edition

R 390.1660
Source: 1985 AACCS.

R 390.1661
Source: 1985 AACCS.

R 390.1662
Source: 1985 AACCS.

R 390.1663
Source: 1985 AACCS.

MICHIGAN WORK-STUDY UNDERGRADUATE PROGRAM

R 390.1701
Source: 1988 AACCS.

R 390.1702
Source: 1988 AACCS.

R 390.1703
Source: 1988 AACCS.

R 390.1704
Source: 1988 AACCS.

R 390.1705
Source: 1988 AACCS.

R 390.1706
Source: 1988 AACCS.

R 390.1707
Source: 1988 AACCS.

R 390.1708
Source: 1988 AACCS.

R 390.1709
Source: 1988 AACCS.

MICHIGAN EDUCATIONAL OPPORTUNITY GRANT PROGRAM

R 390.1721
Source: 1988 AACCS.

R 390.1722
Source: 1988 AACCS.

R 390.1723
Source: 1988 AACCS.

R 390.1724
Source: 1988 AACCS.

R 390.1725
Source: 1988 AACCS.

Annual Administrative Code Supplement
2006 Edition

R 390.1726
Source: 1988 AACCS.

R 390.1727
Source: 1988 AACCS.

R 390.1728
Source: 1988 AACCS.

ADULT PART-TIME GRANT PROGRAM

R 390.1751
Source: 1988 AACCS.

R 390.1752
Source: 1988 AACCS.

R 390.1753
Source: 1988 AACCS.

R 390.1754
Source: 1988 AACCS.

R 390.1755
Source: 1988 AACCS.

R 390.1756
Source: 1988 AACCS.

R 390.1757
Source: 1988 AACCS.

R 390.1758
Source: 1988 AACCS.

R 390.1759
Source: 1988 AACCS.

MICHIGAN WORK-STUDY GRADUATE PROGRAM

R 390.1771
Source: 1988 AACCS.

R 390.1772
Source: 1988 AACCS.

R 390.1773
Source: 1988 AACCS.

R 390.1774
Source: 1988 AACCS.

R 390.1775
Source: 1988 AACCS.

R 390.1776
Source: 1988 AACCS.

Annual Administrative Code Supplement
2006 Edition

R 390.1777
Source: 1988 AACCS.

R 390.1778
Source: 1988 AACCS.

R 390.1779
Source: 1988 AACCS.

MICHIGAN EDUCATION TRUST

R 390.1801
Source: 2002 AACCS.

R 390.1802
Source: 1992 AACCS.

R 390.1803
Source: 1992 AACCS.

R 390.1804
Source: 1992 AACCS.

R 390.1805
Source: 1997 AACCS.

R 390.1806
Source: 1992 AACCS.

R 390.1807
Source: 1992 AACCS.

R 390.1808
Source: 1992 AACCS.

R 390.1809
Source: 1992 AACCS.

R 390.1810
Source: 1992 AACCS.

R 390.1811
Source: 1992 AACCS.

R 390.1812
Source: 1992 AACCS.

R 390.1813
Source: 1992 AACCS.

R 390.1814
Source: 1993 AACCS.

R 390.1815
Source: 1993 AACCS.

R 390.1816
Source: 1992 AACCS.

Annual Administrative Code Supplement
2006 Edition

R 390.1817
Source: 1992 AACS.

R 390.1818
Source: 1992 AACS.

R 390.1819
Source: 1992 AACS.

R 390.1820
Source: 1992 AACS.

R 390.1821
Source: 1998-2000 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
COMMISSION FOR THE BLIND
VENDING FACILITY PROGRAM

R 393.1
Source: 2004 AACS.

R 393.2
Source: 2004 AACS.

R 393.3
Source: 2004 AACS.

R 393.4
Source: 2004 AACS.

R 393.5
Source: 2004 AACS.

R 393.6
Source: 2004 AACS.

R 393.7
Source: 2004 AACS.

R 393.8
Source: 2004 AACS.

R 393.9
Source: 2004 AACS.

R 393.10
Source: 2004 AACS.

R 393.11
Source: 2004 AACS.

R 393.12
Source: 2004 AACS.

Annual Administrative Code Supplement
2006 Edition

Rule 393.13

Source: 2004 AACS.

R 393.14

Source: 2004 AACS.

R 393.15

Source: 2004 AACS.

R 393.16

Source: 2004 AACS.

R 393.17

Source: 2004 AACS.

R 393.18

Source: 2004 AACS.

R 393.19

Source: 2004 AACS.

R 393.20

Source: 2004 AACS.

R 393.21

Source: 2004 AACS.

R 393.22

Source: 2004 AACS.

R 393.23

Source: 2004 AACS.

R 393.24

Source: 2004 AACS.

R 393.25

Source: 2004 AACS.

R 393.26

Source: 2004 AACS.

R 393.27

Source: 2004 AACS.

R 393.28

Source: 2004 AACS.

R 393.29

Source: 2004 AACS.

R 393.30

Source: 2004 AACS.

R 393.31

Annual Administrative Code Supplement
2006 Edition

Source: 2004 AACs.

R 393.32

Source: 2004 AACs.

R 393.33

Source: 2004 AACs.

R 393.34

Source: 2004 AACs.

R 393.35

Source: 2004 AACs.

R 393.36

Source: 2004 AACs.

R 393.37

Source: 2004 AACs.

R 393.38

Source: 2004 AACs.

R 393.39

Source: 2004 AACs.

R 393.40

Source: 2004 AACs.

R 393.41

Source: 2004 AACs.

R 393.42

Source: 2004 AACs.

R 393.43

Source: 2004 AACs.

R 394.44

Source: 2004 AACs.

R 393.45

Source: 2004 AACs.

R 393.46

Source: 2004 AACs.

R 393.47

Source: 2004 AACs.

R 393.48

Source: 2004 AACs.

R 393.49

Source: 2004 AACs.

Annual Administrative Code Supplement
2006 Edition

R 393.50
Source: 2004 AACCS.

R 393.51
Source: 2004 AACCS.

R 393.52
Source: 2004 AACCS.

R 393.53
Source: 2004 AACCS.

R 393.54
Source: 2004 AACCS.

R 393.55
Source: 2004 AACCS.

R 393.56
Source: 2004 AACCS.

R 393.101
Source: 2004 AACCS.

R 393.102
Source: 2004 AACCS.

R 393.103
Source: 2004 AACCS.

R 393.104
Source: 2004 AACCS.

R 393.105
Source: 2004 AACCS.

R 393.106
Source: 2004 AACCS.

R 393.107
Source: 2004 AACCS.

R 393.108
Source: 2004 AACCS.

R 393.109
Source: 2004 AACCS.

R 393.110
Source: 2004 AACCS.

R 393.111
Source: 2004 AACCS.

R 393.112
Source: 2004 AACCS.

Annual Administrative Code Supplement
2006 Edition

R 393.113
Source: 2004 AACS.

R 393.199
Source: 1983 AACS.

CLIENT APPEAL PROCEDURES

R 393.201
Source: 1990 AACS.

R 393.202
Source: 1997 AACS.

R 393.203
Source: 1997 AACS.

R 393.204
Source: 1997 AACS.

MICHIGAN JOBS COMMISSION

VOCATIONAL EDUCATION

VOCATIONAL REHABILITATION

PART 1. ELIGIBILITY FOR REHABILITATION SERVICE

R 395.1
Source: 1998-2000 AACS.

R 395.3
Source: 2005 AACS.

R 395.4
Source: 2005 AACS.

PART 2. PROVISION OF REHABILITATION SERVICES

R 395.21
Source: 1998-2000 AACS.

PART 3. PAYMENT OF SERVICE COSTS

R 395.31
Source: 2005 AACS.

R 395.32
Source: 2005 AACS.

R 395.33
Source: 2005 AACS.

DEPARTMENT OF EDUCATION

Annual Administrative Code Supplement
2006 Edition

STATE BOARD OF EDUCATION
REIMBURSED PROGRAMS OF VOCATIONAL-TECHNICAL EDUCATION

R 395.371
Source: 1988 AACS.

R 395.376
Source: 1988 AACS.

STATE LIBRARY

PART 1. GENERAL PROVISIONS

R 397.1
Source: 1997 AACS.

R 397.2
Source: 1997 AACS.

R 397.3
Source: 1997 AACS.

PART 4. GENERAL LIBRARY FUND

R 397.45
Source: 1997 AACS.

PART 5. STANDARDS FOR PUBLIC LIBRARIES AND LIBRARY SYSTEMS

R 397.51
Source: 1997 AACS.

R 397.52
Source: 1997 AACS.

R 397.53
Source: 1997 AACS.

R 397.54
Source: 1997 AACS.

R 397.55
Source: 1997 AACS.

R 397.56
Source: 1997 AACS.

R 397.57
Source: 1997 AACS.

R 397.58
Source: 1997 AACS.

R 397.59
Source: 1997 AACS.

PART 6. CERTIFICATION FOR LIBRARIANS OF PUBLIC LIBRARIES

Annual Administrative Code Supplement
2006 Edition

R 397.63
Source: 1997 AACS.

R 397.65
Source: 1997 AACS.

R 397.66
Source: 1997 AACS.

R 397.67
Source: 1997 AACS.

R 397.68
Source: 1997 AACS.

R 397.69
Source: 1997 AACS.

R 397.71
Source: 1997 AACS.

R 397.77
Source: 1997 AACS.

R 397.78
Source: 1997 AACS.

R 397.79
Source: 1997 AACS.

R 397.80
Source: 1997 AACS.

R 397.81
Source: 1997 AACS.

R 397.82
Source: 1997 AACS.

R 397.83
Source: 1997 AACS.

R 397.84
Source: 1997 AACS.

R 397.85
Source: 1997 AACS.

R 397.86
Source: 1997 AACS.

R 397.87
Source: 1997 AACS.

R 397.88
Source: 1997 AACS.

R 397.89
Source: 1997 AACS.

Annual Administrative Code Supplement
2006 Edition

R 397.90
Source: 1997 AACS.

R 397.91
Source: 1997 AACS.

R 397.92
Source: 1997 AACS.

DEPARTMENT OF STATE
MICHIGAN HISTORY DIVISION
SITE PROTECTION

R 399.101
Source: 1983 AACS.

R 399.102
Source: 1983 AACS.

FAMILY INDEPENDENCE AGENCY
CHILD DAY-CARE PROGRAM
PART 1. PUBLIC ASSISTANCE
GENERAL ASSISTANCE PROVISIONS

R 400.1
Source: 1997 AACS.

R 400.2
Source: 1997 AACS.

R 400.3
Source: 1997 AACS.

R 400.4
Source: 1997 AACS.

R 400.5
Source: 1997 AACS.

R 400.6
Source: 1997 AACS.

R 400.6a
Source: 1997 AACS.

SPECIAL ASSISTANCE PROVISIONS

R 400.9
Source: 1997 AACS.

Annual Administrative Code Supplement
2006 Edition

R 400.10
Source: 1997 AACS.

R 400.11
Source: 1997 AACS.

R 400.12
Source: 1997 AACS.

R 400.14
Source: 1997 AACS.

R 400.21
Source: 1997 AACS.

R 400.22
Source: 1997 AACS.

R 400.23
Source: 1997 AACS.

PART 2. INTERCOUNTY DISPUTES

R 400.31
Source: 1997 AACS.

R 400.32
Source: 1997 AACS.

R 400.33
Source: 1997 AACS.

R 400.34
Source: 1997 AACS.

R 400.35
Source: 1997 AACS.

R 400.36
Source: 1997 AACS.

R 400.37
Source: 1997 AACS.

R 400.38
Source: 1997 AACS.

CONSUMER AND INDUSTRY SERVICES

BUREAU OF REGULATORY SERVICE

DIVISION OF CHILD WELFARE LICENSING

R 400.71
Source: 1997 AACS.

R 400.72
Source: 1997 AACS.

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R 400.73
Source: 1997 AACS.

R 400.74
Source: 1997 AACS.

DAY CARE CENTERS AND NURSERY SCHOOLS

R 400.120
Source: 1997 AACS.

R 400.121
Source: 1997 AACS.

R 400.122
Source: 1997 AACS.

R 400.123
Source: 1997 AACS.

R 400.124
Source: 1997 AACS.

R 400.125
Source: 1997 AACS.

R 400.126
Source: 1997 AACS.

R 400.127
Source: 1998-2000 AACS.

R 400.128
Source: 1998-2000 AACS.

PART 3. INSPECTION AND LICENSING

SUBPART E. CHILD CARING INSTITUTIONS

R 400.141
Source: 1997 AACS.

R 400.142
Source: 1997 AACS.

R 400.143
Source: 1997 AACS.

R 400.144
Source: 1997 AACS.

R 400.145
Source: 1997 AACS.

R 400.146
Source: 1997 AACS.

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- R 400.147**
Source: 1997 AACS.
- R 400.148**
Source: 1997 AACS.
- R 400.149**
Source: 1997 AACS.
- R 400.150**
Source: 1997 AACS.
- R 400.151**
Source: 1997 AACS.
- R 400.152**
Source: 1997 AACS.
- R 400.153**
Source: 1997 AACS.
- R 400.154**
Source: 1997 AACS.
- R 400.155**
Source: 1997 AACS.
- R 400.156**
Source: 1997 AACS.
- R 400.157**
Source: 1997 AACS.
- R 400.158**
Source: 1997 AACS.
- R 400.159**
Source: 1997 AACS.
- R 400.160**
Source: 1997 AACS.
- R 400.161**
Source: 1997 AACS.
- R 400.162**
Source: 1997 AACS.
- R 400.163**
Source: 1997 AACS.
- R 400.164**
Source: 1997 AACS.
- R 400.165**
Source: 1997 AACS.
- R 400.166**
Source: 1997 AACS.

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R 400.167
Source: 1997 AACS.

R 400.168
Source: 1997 AACS.

R 400.169
Source: 1997 AACS.

R 400.170
Source: 1997 AACS.

R 400.171
Source: 1997 AACS.

R 400.172
Source: 1997 AACS.

R 400.173
Source: 1997 AACS.

R 400.174
Source: 1997 AACS.

R 400.175
Source: 1997 AACS.

R 400.176
Source: 1997 AACS.

R 400.177
Source: 1997 AACS.

R 400.178
Source: 1997 AACS.

R 400.179
Source: 1997 AACS.

R 400.180
Source: 1997 AACS.

R 400.181
Source: 1997 AACS.

R 400.182
Source: 1997 AACS.

R 400.183
Source: 1997 AACS.

R 400.184
Source: 1997 AACS.

R 400.185
Source: 1997 AACS.

FOSTER HOMES FOR CHILDREN

R 400.191

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Source: 1998-2000 AACS.

R 400.192

Source: 1998-2000 AACS.

R 400.193

Source: 1998-2000 AACS.

R 400.194

Source: 1998-2000 AACS.

R 499.195

Source: 1998-2000 AACS.

BOARDING SCHOOLS FOR CHILDREN

R 400.211

Source: 1997 AACS.

R 400.212

Source: 1997 AACS.

R 400.213

Source: 1997 AACS.

R 400.214

Source: 1997 AACS.

R 400.215

Source: 1997 AACS.

R 400.216

Source: 1997 AACS.

PART 4. DIVISION OF SERVICES FOR THE BLIND

R 400.254

Source: 1982 AACS.

R 400.261

Source: 1997 AACS.

R 400.262

Source: 1997 AACS.

R 400.263

Source: 1997 AACS.

R 400.264

Source: 1997 AACS.

R 400.265

Source: 1997 AACS.

R 400.266

Source: 1997 AACS.

R 400.267

Source: 1997 AACS.

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R 400.268
Source: 1997 AACS.

R 400.269
Source: 1997 AACS.

R 400.270
Source: 1997 AACS.

R 400.271
Source: 1997 AACS.

R 400.272
Source: 1997 AACS.

R 400.273
Source: 1997 AACS.

R 400.274
Source: 1997 AACS.

R 400.275
Source: 1997 AACS.

R 400.276
Source: 1997 AACS.

PART 9. HEARINGS, APPEALS, AND DECLARATORY RULINGS

R 400.904
Source: 1998-2000 AACS.

R 400.906
Source: 1998-2000 AACS.

R 400.907
Source: 1993 AACS.

R 400.916
Source: 1993 AACS.

R 400.917
Source: 1998-2000 AACS.

R 400.919
Source: 1993 AACS.

R 400.941
Source: 1997 AACS.

R 400.951
Source: 1985 AACS.

PART 10. CHILDREN'S CAMPS

R 400.1001
Source: 1997 AACS.

R 400.1002

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Source: 1997 AACs.

R 400.1003

Source: 1997 AACs.

R 400.1004

Source: 1997 AACs.

R 400.1005

Source: 1997 AACs.

R 400.1006

Source: 1997 AACs.

R 400.1007

Source: 1997 AACs.

R 400.1008

Source: 1997 AACs.

R 400.1009

Source: 1997 AACs.

R 400.1010

Source: 1997 AACs.

R 400.1011

Source: 1997 AACs.

R 400.1012

Source: 1997 AACs.

R 400.1013

Source: 1997 AACs.

R 400.1014

Source: 1997 AACs.

R 400.1015

Source: 1997 AACs.

R 400.1016

Source: 1997 AACs.

R 400.1017

Source: 1997 AACs.

R 400.1018

Source: 1997 AACs.

R 400.1019

Source: 1997 AACs.

R 400.1020

Source: 1997 AACs.

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R 400.1021
Source: 1997 AACCS.

R 400.1022
Source: 1997 AACCS.

R 400.1023
Source: 1997 AACCS.

R 400.1024
Source: 1997 AACCS.

R 400.1025
Source: 1997 AACCS.

R 400.1026
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R 400.1027
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R 400.1028
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R 400.1029
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R 400.1030
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R 400.1031
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R 400.1032
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R 400.1033
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R 400.1034
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R 400.1035
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R 400.1036
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R 400.1037
Source: 1997 AACCS.

R 400.1038
Source: 1997 AACCS.

R 400.1039
Source: 1997 AACCS.

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R 400.1040
Source: 1997 AACCS.

R 400.1041
Source: 1997 AACCS.

R 400.1042
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R 400.1043
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R 400.1044
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R 400.1045
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R 400.1046
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R 400.1047
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R 400.1048
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R 400.1049
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R 400.1050
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R 400.1051
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R 400.1052
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R 400.1053
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R 400.1054
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R 400.1056
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R 400.1057
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R 400.1058

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Source: 1997 AACS.

R 400.1059

Source: 1997 AACS.

R 400.1060

Source: 1997 AACS.

R 400.1061

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R 400.1062

Source: 1997 AACS.

R 400.1063

Source: 1997 AACS.

R 400.1064

Source: 1997 AACS.

R 400.1065

Source: 1997 AACS.

R 400.1066

Source: 1997 AACS.

R 400.1067

Source: 1997 AACS.

R 400.1068

Source: 1997 AACS.

OFFICE OF ADULT AND FAMILY COMMUNITY SERVICES

ADULT HOME HELP SERVICES PAYMENTS

R 400.1101

Source: 1980 AACS.

R 400.1102

Source: 1980 AACS.

R 400.1103

Source: 1980 AACS.

R 400.1104

Source: 1980 AACS.

R 400.1105

Source: 1980 AACS.

R 400.1106

Source: 1980 AACS.

R 400.1107

Source: 1980 AACS.

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**FAMILY SERVICES ADMINISTRATION
INTENTIONAL PROGRAM VIOLATIONS**

R 400.1121
Source: 1998-2000 AACS.

**BUREAU OF REGULATORY SERVICES
GOOD MORAL CHARACTER**

R 400.1151
Source: 1988 AACS.

R 400.1152
Source: 1988 AACS.

R 400.1153
Source: 1988 AACS.

YOUTH PAROLE AND REVIEW BOARD

PART 1. GENERAL PROVISIONS

R 400.1201
Source: 1997 AACS.

R 400.1202
Source: 1997 AACS.

R 400.1203
Source: 1997 AACS.

R 400.1204
Source: 1997 AACS.

R 400.1205
Source: 1997 AACS.

R 400.1206
Source: 1997 AACS.

R 400.1207
Source: 1997 AACS.

R 400.1208
Source: 1997 AACS.

R 400.1209
Source: 1997 AACS.

R 400.1210
Source: 1997 AACS.

R 400.1211
Source: 1997 AACS.

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PART 2. GENERAL RULES OF PROCEDURE

R 400.1221
Source: 1997 AACS.

R 400.1222
Source: 1997 AACS.

R 400.1223
Source: 1997 AACS.

R 400.1224
Source: 1997 AACS.

R 400.1225
Source: 1997 AACS.

R 400.1226
Source: 1997 AACS.

R 400.1227
Source: 1997 AACS.

R 400.1228
Source: 1997 AACS.

R 400.1229
Source: 1997 AACS.

PART 3. RELEASES

R 400.1231
Source: 1997 AACS.

R 400.1232
Source: 1997 AACS.

R 400.1233
Source: 1997 AACS.

PART 4. VIOLATION OF CONDITIONS, RETURN FROM RELEASE

R 400.1241
Source: 1997 AACS.

R 400.1242
Source: 1997 AACS.

R 400.1243
Source: 1997 AACS.

R 400.1244
Source: 1997 AACS.

R 400.1245
Source: 1997 AACS.

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R 400.1246
Source: 1997 AACS.

PART 5. DISCHARGE

R 400.1251
Source: 1997 AACS.

PART 6. REVIEW

R 400.1261
Source: 1997 AACS.

R 400.1262
Source: 1997 AACS.

R 400.1263
Source: 1997 AACS.

R 400.1264
Source: 1997 AACS.

R 400.1265
Source: 1997 AACS.

DIVISION OF CHILD DAY CARE LICENSING
FAMILY DAY CARE HOMES

R 400.1301
Source: 1997 AACS.

R 400.1302
Source: 1997 AACS.

R 400.1303
Source: 1997 AACS.

R 400.1304
Source: 1997 AACS.

R 400.1305
Source: 1997 AACS.

R 400.1306
Source: 1997 AACS.

R 400.1307
Source: 1997 AACS.

R 400.1308
Source: 1997 AACS.

R 400.1309
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R 400.1310

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Source: 1997 AACS.

R 400.1311

Source: 1997 AACS.

R 400.1312

Source: 1997 AACS.

R 400.1313

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R 400.1314

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R 400.1315

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R 400.1321

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R 400.1322

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R 400.1323

Source: 1997 AACS.

R 400.1324

Source: 1997 AACS.

R 400.1325

Source: 1997 AACS.

ADULT FOSTER CARE LICENSING DIVISION

ADULT FOSTER CARE FAMILY HOMES

R 400.1401

Source: 1984 AACS.

R 400.1402

Source: 1984 AACS.

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R 400.1403
Source: 1984 AACS.

R 400.1404
Source: 1984 AACS.

R 400.1405
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R 400.1406
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R 400.1407
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R 400.1408
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R 400.1409
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R 400.1420
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R 400.1421
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R 400.1422
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R 400.1423
Source: 1984 AACS.

R 400.1424
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R 400.1425
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R 400.1426
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R 400.1427
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R 400.1428
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R 400.1429
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R 400.1430
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R 400.1431
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R 400.1434
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R 400.1435
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R 400.1436
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R 400.1437
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R 400.1438
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R 400.1439
Source: 1984 AACS.

R 400.1440
Source: 1984 AACS.

R 400.1441
Source: 1984 AACS.

R 400.1442
Source: 1984 AACS.

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ADULT FOSTER CARE SMALL GROUP HOMES FOR SIX OR LESS, FIRE SAFETY

R 400.1601
Source: 1997 AACS.

R 400.1602
Source: 1997 AACS.

R 400.1603
Source: 1997 AACS.

R 400.1604
Source: 1997 AACS.

R 400.1605
Source: 1997 AACS.

R 400.1606
Source: 1997 AACS.

R 400.1607
Source: 1997 AACS.

R 400.1608
Source: 1997 AACS.

R 400.1609
Source: 1997 AACS.

R 400.1610
Source: 1997 AACS.

R 400.1611
Source: 1997 AACS.

R 400.1612
Source: 1997 AACS.

R 400.1613
Source: 1997 AACS.

FAMILY AND GROUP DAY CARE HOMES

PART 1. GENERAL PROVISIONS

R 400.1801
Source: 2005 AACS.

R 400.1802
Source: 2005 AACS.

R 400.1803
Source: 2005 AACS.

R 400.1804
Source: 2005 AACS.

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R 400.1805
Source: 2005 AACCS.

R 400.1806
Source: 2005 AACCS.

R 400.1807
Source: 2005 AACCS.

R 400.1808
Source: 2005 AACCS.

R 400.1809
Source: 2005 AACCS.

R 400.1810
Source: 2005 AACCS.

R 400.1811
Source: 2005 AACCS.

R 400.1812
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R 400.1813
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R 400.1814
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R 400.1815
Source: 2005 AACCS.

R 400.1816
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R 400.1817
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R 400.1818
Source: 2005 AACCS.

R 400.1821
Source: 2005 AACCS.

R 400.1822
Source: 2005 AACCS.

R 400.1831
Source: 2005 AACCS.

R 400.1832
Source: 2005 AACCS.

R 400.1833
Source: 2005 AACCS.

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R 400.1834
Source: 2005 AACCS.

R 400.1835
Source: 2005 AACCS.

R 400.1841
Source: 2005 AACCS.

R 400.1842
Source: 2005 AACCS.

R 400.1851
Source: 2005 AACCS.

R 400.1901
Source: 2005 AACCS.

R 400.1902
Source: 2005 AACCS.

R 400.1903
Source: 2005 AACCS.

R 400.1904
Source: 2005 AACCS.

R 400.1905
Source: 2005 AACCS.

R 400.1906
Source: 2005 AACCS.

R 400.1907
Source: 2005 AACCS.

R 400.1908
Source: 2005 AACCS.

R 400.1909
Source: 2005 AACCS.

R 400.1910
Source: 2005 AACCS.

R 400.1911
Source: 2005 AACCS.

R 400.1912
Source: 2005 AACCS.

R 400.1913
Source: 2005 AACCS.

R 400.1914
Source: 2005 AACCS.

R 400.1915

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Source: 2005 AACS.

R 400.1916

Source: 2005 AACS.

R 400.1917

Source: 2005 AACS.

R 400.1918

Source: 2005 AACS.

R 400.1919

Source: 2005 AACS.

R 400.1920

Source: 2005 AACS.

R 400.1921

Source: 2005 AACS.

R 400.1922

Source: 2005 AACS.

R 400.1923

Source: 2005 AACS.

R 400.1924

Source: 2005 AACS.

R 400.1931

Source: 2005 AACS.

R 400.1932

Source: 2005 AACS.

R 400.1933

Source: 2005 AACS.

R 400.1934

Source: 2005 AACS.

R 400.1935

Source: 2005 AACS.

R 400.1936

Source: 2005 AACS.

R 400.1941

Source: 2005 AACS.

R 400.1942

Source: 2005 AACS.

R 400.1943

Source: 2005 AACS.

R 400.1944

Source: 2005 AACS.

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R 400.1945
Source: 2005 AACS.

R 400.1951
Source: 2005 AACS.

R 400.1952
Source: 2005 AACS.

R 400.1961
Source: 2005 AACS.

R 400.1962
Source: 2005 AACS.

R 400.1963
Source: 2005 AACS.

PART 2. ENVIRONMENT

R 400.1821
Source: 1989 AACS.

R 400.1822
Source: 1989 AACS.

PART 3. FIRE SAFETY

R 400.1831
Source: 1989 AACS.

R 400.1832
Source: 1989 AACS.

R 400.1833
Source: 1989 AACS.

R 400.1834
Source: 1989 AACS.

R 400.1835
Source: 1989 AACS.

PART 4. TRANSPORTATION: FIELD TRIPS

R 400.1841
Source: 1989 AACS.

R 400.1842
Source: 1989 AACS.

PART 5. TRAINING

R 400.1851
Source: 1989 AACS.

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CHILD CARE FUND

PART 1. GENERAL PROVISIONS

R 400.2001
Source: 1987 AACS.

R 400.2002
Source: 1987 AACS.

R 400.2003
Source: 1987 AACS.

R 400.2004
Source: 1987 AACS.

R 400.2005
Source: 1987 AACS.

R 400.2006
Source: 1987 AACS.

R 400.2007
Source: 1987 AACS.

R 400.2008
Source: 1987 AACS.

R 400.2009
Source: 1987 AACS.

R 400.2010
Source: 1987 AACS.

R 400.2011
Source: 1987 AACS.

PART 2. ELIGIBLE EXPENDITURE CLASSIFICATIONS

R 400.2021
Source: 1987 AACS.

R 400.2022
Source: 1987 AACS.

R 400.2023
Source: 1987 AACS.

R 400.2024
Source: 1987 AACS.

R 400.2025
Source: 1987 AACS.

R 400.2026
Source: 1987 AACS.

R 400.2027

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Source: 1987 AACS.

R 400.2028

Source: 1987 AACS.

PART 3. ACCOUNTING

R 400.2031

Source: 1987 AACS.

PART 4. REPORTING

R 400.2041

Source: 1987 AACS.

R 400.2042

Source: 1987 AACS.

R 400.2043

Source: 1987 AACS.

R 400.2044

Source: 1987 AACS.

R 400.2045

Source: 1987 AACS.

R 400.2046

Source: 1987 AACS.

R 400.2047

Source: 1987 AACS.

R 400.2048

Source: 1987 AACS.

R 400.2049

Source: 1987 AACS.

ADULT FOSTER CARE LICENSING DIVISION

ADULT FOSTER CARE FACILITIES

PART 1. GENERAL PROVISIONS

R 400.2101

Source: 1997 AACS.

R 400.2102

Source: 1997 AACS.

R 400.2103

Source: 1997 AACS.

R 400.2104

Source: 1997 AACS.

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R 400.2105
Source: 1997 AACS.

R 400.2106
Source: 1997 AACS.

R 400.2111
Source: 1997 AACS.

R 400.2112
Source: 1997 AACS.

R 400.2113
Source: 1997 AACS.

R 400.2114
Source: 1997 AACS.

R 400.2115
Source: 1997 AACS.

R 400.2116
Source: 1997 AACS.

R 400.2117
Source: 1997 AACS.

R 400.2118
Source: 1997 AACS.

R 400.2119
Source: 1997 AACS.

R 400.2120
Source: 1997 AACS.

R 400.2121
Source: 1997 AACS.

R 400.2122
Source: 1997 AACS.

PART 2. FAMILY HOMES, FIRE SAFETY

R 400.2201
Source: 1984 AACS.

R 400.2202
Source: 1997 AACS.

R 400.2203
Source: 1997 AACS.

R 400.2204
Source: 1997 AACS.

R 400.2205
Source: 1997 AACS.

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R 400.2206
Source: 1997 AACS.

R 400.2207
Source: 1997 AACS.

R 400.2208
Source: 1997 AACS.

R 400.2209
Source: 1997 AACS.

R 400.2210
Source: 1997 AACS.

R 400.2211
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R 400.2212
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R 400.2213
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R 400.2214
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R 400.2215
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R 400.2218
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R 400.2219
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R 400.2220
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R 400.2221
Source: 1997 AACS.

R 400.2222
Source: 1997 AACS.

R 400.2223
Source: 1997 AACS.

R 400.2224
Source: 1997 AACS.

R 400.2231
Source: 1984 AACS.

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R 400.2232
Source: 1997 AACS.

R 400.2233
Source: 1984 AACS.

R 400.2234
Source: 1997 AACS.

R 400.2241
Source: 1997 AACS.

R 400.2242
Source: 1984 AACS.

R 400.2243
Source: 1984 AACS.

R 400.2248
Source: 1997 AACS.

R 400.2249
Source: 1997 AACS.

R 400.2250
Source: 1997 AACS.

R 400.2251
Source: 1997 AACS.

R 400.2252
Source: 1997 AACS.

R 400.2253
Source: 1997 AACS.

R 400.2254
Source: 1997 AACS.

R 400.2255
Source: 1997 AACS.

R 400.2256
Source: 1997 AACS.

R 400.2257
Source: 1997 AACS.

R 400.2271
Source: 1997 AACS.

R 400.2272
Source: 1997 AACS.

R 400.2273
Source: 1997 AACS.

R 400.2274
Source: 1997 AACS.

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R 400.2275
Source: 1997 AACS.

PART 3. GROUP HOMES

R 400.2301
Source: 1997 AACS.

R 400.2302
Source: 1997 AACS.

R 400.2303
Source: 1997 AACS.

R 400.2304
Source: 1997 AACS.

R 400.2305
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R 400.2306
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R 400.2307
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R 400.2302
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R 400.2306
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R 400.2307
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R 400.2308
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R 400.2309
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R 400.2310
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Annual Administrative Code Supplement
2006 Edition

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2006 Edition

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R 400.2374
Source: 1997 AACS.

R 400.2375
Source: 1997 AACS.

R 400.2376
Source: 1982 AACS.

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2006 Edition

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

BUREAU OF REGULATORY SERVICES

ADULT FOSTER CARE FACILITIES

PART 5. FIRE SAFETY; CONGREGATE FACILITIES

R 400.2501
Source: 1998-2000 AACS.

R 400.2502
Source: 1998-2000 AACS.

R 400.2503
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R 400.2504
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Annual Administrative Code Supplement
2006 Edition

- R 400.2517**
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- R 400.2518**
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- R 400.2519**
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- R 400.2520**
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2006 Edition

Source: 1998-2000 AACS.

R 400.2551

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R 400.2567

Source: 1998-2000 AACS.

FAMILY SERVICES ADMINISTRATION
FOOD STAMP PROGRAM

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2006 Edition

R 400.3001
Source: 1997 AACS.

R 400.3002
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R 400.3003
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FAMILY INDEPENDENCE PROGRAM

R 400.3101
Source: 1997 AACS.

R 400.3102
Source: 1997 AACS.

R 400.3103
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R 400.3104
Source: 1997 AACS.

Annual Administrative Code Supplement
2006 Edition

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Annual Administrative Code Supplement
2006 Edition

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FAMILY INDEPENDENCE AGENCY

FAMILY SERVICES ADMINISTRATION

STATE DISABILITY ASSISTANCE PROGRAM

R 400.3151
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R 400.3152
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Annual Administrative Code Supplement
2006 Edition

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2006 Edition

Source: 1998-2000 AACS.

OFFICE OF INCOME ASSISTANCE
EMERGENCY NEEDS PROGRAM

R 400.3501

Source: 1997 AACS.

R 400.3502

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Annual Administrative Code Supplement
2006 Edition

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Annual Administrative Code Supplement
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Source: 1997 AACs.

R 400.3537

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R 400.3538

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R 400.3539

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R 400.3540

Source: 1997 AACs.

OFFICE OF EMPLOYMENT DEVELOPMENT SERVICES
MICHIGAN OPPORTUNITY AND SKILLS TRAINING PROGRAM

R 400.3591

Source: 1997 AACs.

R 400.3592

Source: 1997 AACs.

R 400.3593

Source: 1997 AACs.

R 400.3594

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R 400.3595

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R 400.3596

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FAMILY SERVICES ADMINISTRATION
EMPLOYMENT AND TRAINING PROGRAM

R 400.3601

Source: 1997 AACs.

R 400.3602

Source: 1997 AACs.

R 400.3603

Source: 1997 AACs.

R 400.3604

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R 400.3605

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R 400.3606

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Annual Administrative Code Supplement
2006 Edition

R 400.3607
Source: 1997 AACS.

R 400.3608
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R 400.3609
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R 400.3610
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R 400.3611
Source: 1997 AACS.

R 400.3612
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R 400.3613
Source: 1997 AACS.

DIVISION OF CHILD WELFARE LICENSING
CHILD CARING INSTITUTIONS
PART 1. GENERAL PROVISIONS

R 400.4101
Source: 1983 AACS.

R 400.4104
Source: 1983 AACS.

R 400.4105
Source: 1983 AACS.

R 400.4106
Source: 1983 AACS.

R 400.4108
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R 400.4116

Annual Administrative Code Supplement
2006 Edition

Source: 1983 AACS.

R 400.4117

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R 400.4119

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Annual Administrative Code Supplement
2006 Edition

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Annual Administrative Code Supplement
2006 Edition

R 400.4182
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R 400.4183
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R 400.4199
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PART 2. SHORT-TERM INSTITUTIONS

R 400.4201
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R 400.4231
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R 400.4232
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R 400.4234
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R 400.4237
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R 400.4238
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PART 3. RESIDENTIAL TREATMENT INSTITUTIONS

R 400.4302
Source: 1983 AACS.

R 400.4331
Source: 1983 AACS.

R 400.4332
Source: 1983 AACS.

R 400.4334
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R 400.4335
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R 400.4336
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R 400.4337
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R 400.4338
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PART 4. ENVIRONMENTAL HEALTH AND SAFETY

R 400.4401
Source: 1983 AACS.

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R 400.4407
Source: 1983 AACS.

R 400.4409
Source: 1983 AACS.

R 400.4411
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R 400.4414
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R 400.4435
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PART 5. FIRE SAFETY FOR SMALL, LARGE, AND SECURE INSTITUTION FACILITIES

R 400.4501
Source: 1983 AACS.

R 400.4502
Source: 1983 AACS.

R 400.4504
Source: 1983 AACS.

R 400.4506
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Annual Administrative Code Supplement
2006 Edition

R 400.4517
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R 400.4522
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2006 Edition

R 400.4560
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R 400.4564
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R 400.4566
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R 400.4568
Source: 1983 AACS.

PART 6. FIRE SAFETY FOR RESIDENTIAL GROUP HOME FACILITIES

R 400.4601
Source: 1983 AACS.

R 400.4602
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R 400.4606
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R 400.4608
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R 400.4612
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R 400.4623
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2006 Edition

R 400.4638
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R 400.4639
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R 400.4640
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R 400.4643
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R 400.4652
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R 400.4657
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R 400.4660
Source: 1983 AACS.

R 400.4666
Source: 1983 AACS.

FAMILY SERVICES ADMINISTRATION
CHILD DAY-CARE PROGRAM

R 400.5001
Source: 1997 AACS.

R 400.5002
Source: 1997 AACS.

R 400.5003
Source: 1997 AACS.

R 400.5004
Source: 1997 AACS.

R 400.5005
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Annual Administrative Code Supplement
2006 Edition

R 400.5011

Source: 1997 AACs.

R 400.5012

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R 400.5013

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R 400.5014

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R 400.5015

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DIVISION OF CHILD CARE CENTER LICENSING
CHILD CARE CENTERS

**PART 1. GENERAL PROVISIONS, INCLUDING PROVISIONS FOR CARE
OF CHILDREN 2 1/2 YEARS TO 5 YEARS OF AGE**

R 400.5101 Definitions.

Rule 101. As used in these rules:

- (a) "Accredited college or university" means a college or university that has been accredited by a regional or national institutional accrediting association recognized by the U.S. department of education.
- (b) "Ages" means all of the following:
 - (i) "Infant" - birth to 11 months of age.
 - (ii) "Young toddler" - 12 to 29 months of age.
 - (iii) "Older toddler" - 30 to 35 months of age.
 - (iv) "Three years old" means 2 years before kindergarten enrollment, as defined by the revised school code, 1976 PA 451, MCL 380.1147.
 - (v) "Four years old" means 1 year before kindergarten enrollment, as defined by the revised school code, 1976 PA 451, MCL 380.1147.
 - (vi) "School-age" means eligible to be enrolled in kindergarten, as defined by the revised school code, 1976 PA 451, MCL 380.1147, but less than 13 years of age.
- (c) "Caregiver" means an adult who provides direct care, supervision, and guidance of children. A 17-year-old shall qualify as a caregiver if he or she meets 1 of the following:
 - (i) Has satisfactorily completed at least 1 year of a vocational-occupational child care aide training program approved by the department of labor and economic growth.
 - (ii) Has completed 1 year of apprenticeship in a recognized child care apprenticeship program sponsored by the U.S. department of labor.
- (d) "Center" means a child care center or day care center which is a facility other than a private residence, which receives 1 or more preschool or school-age children for care for periods of less than 24 hours a day, and at which the parents or guardians are not immediately available to the children. It includes a facility that provides care for not less than 2 consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, prekindergarten, play group, or drop-in center. "Center" does not include any of the following:
 - (i) A Sunday school, a vacation Bible school, or a religious instructional class which is conducted by a religious organization and at which children are in attendance for not more than 3 hours per day for an indefinite period, or not more than 8 hours per day for a period not to exceed 4 weeks during a 12-month period, or a facility operated by a religious organization where children are cared for not more than 3 hours while persons responsible for the children are attending religious services.
 - (ii) A special education program or service conducted under the authority of article 3 of 1976 PA 451, MCL 380.1701 to 380.1766.
 - (iii) A kindergarten, elementary, or secondary school program operated by a local or intermediate school district under the authority of 1976 PA 451, MCL 380.1 et seq.

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2006 Edition

However, this exemption shall not apply to a prekindergarten program or to a child care center program for school-age children operated by a local or intermediate school district.

(iv) An elementary or secondary school program operated by a nonpublic school. However, this exemption shall not apply to a prekindergarten program or a child care center program for school-age children operated by a nonpublic school.

(v) A kindergarten operated as part of a nonpublic elementary school. However, this exemption shall not apply to a nonpublic kindergarten operated as part of a child care center.

(vi) A program that is primarily supervised, school-age-child-focused training in a specific subject, including, but not limited to, dancing, drama, music, or religion. This exclusion applies only to the time a child is involved in supervised, school-age-child-focused training.

(vii) A program that is primarily an incident of group athletic or social activities for school-age children sponsored by or under the supervision of an organized club or hobby group, including, but not limited to, youth clubs, scouting, and school-age recreational or supplementary education programs. This exclusion applies only to the time the school-age child is engaged in the group athletic or social activities and if the school-age child can come and go at will.

(e) "CEU" means a continuing education unit awarded by a state board of education or an accredited college/university sponsor of continuing education units.

(f) "Critical height" means the height of the highest designated play surface on a piece of playground equipment.

(g) "Department" means the department of human services.

(h) "Developmentally appropriate" means age appropriate as well as appropriate to the individual child.

(i) "Field trip" means children and caregivers leaving the child care center premises for an excursion, trip, or program activity.

(j) "Group size" means the specified number of children assigned to a caregiver or team of caregivers occupying an individual classroom or well-defined space for each group within a larger room. Two or more groups may be combined for collective activities as long as appropriate child/staff ratios are maintained in the room or area.

(k) "Parent" or "parental" means a child's natural parent, guardian, or another legally responsible person.

(l) "Playspace" means a piece or pieces of equipment that 1 child can use independently for 15 minutes.

(m) "Recommended dietary allowances" means the amount of food which meet the allowances recommended by the national research council and contained in the appendix of the publication entitled "Recommended Dietary Allowances," 10th edition, 1989. This publication is hereby adopted by reference. Copies of the adopted matter may be obtained from the National Academy of Sciences, 500 Fifth St. N.W., Washington, D.C. 20001 at a cost as of the effective date of this rule of \$24.95.

(n) "School" means a building or part of a building which is owned or leased by, or under the control of, a public or private school or school system for the purpose of instruction as required by 1976 PA 451, MCL 380.1561 which is occupied by 6 or more students, and which is used 4 or more hours per day or more than 12 hours per week.

(o) "Sleeping equipment" means a crib, bed, porta-crib, cot, or mat used by children in care for sleeping and resting.

(p) "Staff" means caregivers, drivers, kitchen personnel, maintenance personnel, and other personnel of the center as well as the program director.

(q) "Well-defined space" means space designed and used exclusively for a specific group of children.

History: 1979 ACS 2, Eff. June 4, 1980; 1984 MR 7, Eff. July 24, 1984; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5102 Licensee.

Rule 102. (1) The licensee shall do all of the following:

(a) Demonstrate to the department that he or she is of good moral character as defined in 1974 PA 381, MCL 338.41 to 338.47.

(b) Comply with 1973 PA 116, MCL 722.115c requirements for a Michigan department of state police criminal history record check, a criminal records check through the federal bureau of investigation, and a department of human services check for a history of substantiated abuse and neglect.

(c) Be responsible for compliance with 1973 PA 116, MCL 722.111 and the rules promulgated under the act.

(2) The licensee shall have the following administrative responsibilities regarding staff:

(a) Notify and submit approved credentials to the department within 30 days of hiring a new program director.

(b) Perform a criminal history check using the Michigan department of state police's internet criminal history access tool (ICHAT) before making an offer of employment to a person.

(c) Develop and implement a written screening policy for all staff and volunteers, including parents, who have contact with children.

(d) Develop and implement a written plan to assure compliance with the provisions of 1975 PA 238, MCL 722.621 and known as the child protection law.

(e) Have a written statement signed and dated by staff at the time of hiring indicating all of the following information:

Annual Administrative Code Supplement
2006 Edition

- (i) The individual is aware that abuse and neglect of children is against the law.
- (ii) The individual has been informed of the center's policies on child abuse and neglect.
- (iii) The individual knows that caregivers are required by law to immediately report suspected abuse and neglect to children's protective services.
- (3) The licensee shall provide for the development and implementation of a written, on-going staff training plan that includes the following:
 - (a) The minimum training requirements as established in these rules.
 - (b) Topics including child development, curriculum, child discipline, health/safety, nutrition, working with parents, and licensing rules for child care centers.
- (4) The licensee shall post the following in a place visible to parents:
 - (a) The current license.
 - (b) A copy of the current regulations.
 - (c) A notice stating whether the child care center requires a criminal history check on its employees or volunteers.
- (5) The licensee shall assure that the actual number and ages of children in care at any 1 time never exceeds the number and ages of children for which a center is licensed.
- (6) The licensee shall assure that a child is released only to persons authorized by the parent. The following shall apply:
 - (a) A child shall be released to either parent unless a court order prohibits release to a particular parent.
 - (b) A copy of the order specified in subrule (6)(a) is to be kept on file at the center.
- (7) The licensee shall cooperate with the department in connection with an inspection or investigation. Cooperation shall include both of the following:
 - (a) The licensee shall provide access to all records, materials, and staff.
 - (b) Information provided by the licensee to the department shall be accurate and truthful.
- (8) The licensee shall retain the name, address, and telephone number for each child enrolled and each employee for at least 4 years after they have left the center.
- (9) The licensee shall assure that smoking does not occur in or during either of the following:
 - (a) In the child care center or on real property that is under the control of the child care center and upon which the child care center is located.
 - (b) On field trips and in vehicles when children are present.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5102a Staff training requirements.

- Rule 102a. (1) At least 1 caregiver with current certification in infant, child, and adult cpr and current first aid certification shall be on duty in the center at all times.
- (2) The licensee shall assure that within 1 year of the effective date of these rules current caregivers have completed blood-borne pathogen training.
 - (3) The licensee shall assure that within 6 months of initial hire each caregiver completes blood-borne pathogen training.
 - (4) All caregivers shall complete 12 clock hours of annual training on topics referenced in R 400.5102(3)(b), in addition to cpr, first aid, and blood borne pathogen training.
 - (5) Annual training hours may include participation in any of the following:
 - (a) In-service trainings.
 - (b) Sessions offered by community groups, faith-based organizations, and child care provider associations.
 - (c) Workshops and courses offered by local or intermediate school districts or colleges.
 - (d) Trainings, workshops, seminars, and conferences on early childhood, child development or child care administration and practices offered by early childhood organizations.
 - (e) On-line trainings.
 - (6) The licensee shall assure that caregivers for infants and toddlers have training that includes information about safe sleep and shaken baby syndrome.
 - (7) The center shall keep on file verification of all professional development education or training, as required by this rule.

History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5103 Program director qualifications; responsibilities.

Rule 103. For purposes of this rule:

- (a) "Child-related fields" means elementary education, child guidance/counseling, child psychology, family studies, and social work.
- (b) "Child care administration" means child care administration, education administration, or business administration.
- (c) A "Child Development Associate Credential" (CDA) means a credential awarded by the council for professional

Annual Administrative Code Supplement
2006 Edition

recognition or similar credential approved by the department.

(d) A "Montessori credential" means a credential issued by the association Montessori internationale (AMI), American Montessori society (AMS), or any Montessori teaching training institution recognized by the Montessori accreditation council for teacher education (MACTE) that meets or exceeds 270 hours of academic training.

(e) Degrees and semester hours shall be from an accredited college or university.

(1) A program director shall be present at the following:

(a) Full time for programs operating less than 6 continuous hours, when children are present.

(b) At least 50% of the time children are in care, but not less than a total of 6 hours for programs operating 6 or more continuous hours.

(2) A program director shall have the following qualifications:

(a) Be at least 21 years of age.

(b) Have earned a high school diploma or ged.

(c) Have current certification in infant, child, and adult cardiopulmonary resuscitation (cpr) and first aid.

(d) Complete 12 clock hours of annual training on topics referenced in R 400.5102(3)(b), in addition to cpr, first aid, and blood borne pathogen training.

(e) Develop, implement, and evaluate center policies and program.

(f) Administer day-to-day operations including being available to address parent, child, and staff issues.

(g) Monitor and evaluate staff.

(3) The center shall ensure that the qualifications of the program director meet 1 of the following:

	Education	Semester hours in early childhood education or child development	Hours of Experience
(a)	Bachelor's degree or higher in early childhood education or child development		
(b)	Bachelor's degree or higher in a child-related field with →	18 semester hours with →	480 hours
(c)	Associate's degree in early childhood education or child development with →	18 semester hours with →	480 hours
(d)	Montessori credential with →	18 semester hours with →	960 hours
(e)	Child development associate credential with →	18 semester hours with →	960 hours
(f)	60 semester hours with →	18 semester hours with →	1920 hours

(4) A program director shall have at least 2 semester hours in child care administration from an accredited college or university, or a minimum of 3.0 ceus in child care administration.

(5) A program director, currently employed as a program director before the effective date of these rules, with a minimum of 2 years experience as a program director, shall be exempt from the requirements in subrules (3) and (4) of this rule.

(6) Program directors, currently employed as a program director before the effective date of these rules, with less than 2 years experience as a program director, shall have 2 calendar years to complete the requirements in subrules (3) and (4) of this rule.

(7) Program directors hired within 1 year after the effective date of these rules who have the minimum of 1 of the following requirements shall have 1 year to complete the requirements in subrules (3) and (4) of this rule.

(a) Sixty semester hours of credit at an accredited college or university with not less than 12 semester hours in child development, child psychology, or early childhood education.

(b) The child development associate credential awarded by the council for professional recognition or similar credential approved by the department with not less than 12 semester hours in child development, child psychology, or early childhood education at an accredited college or university.

(c) A Montessori credential awarded by a Montessori teacher training institution recognized by the Montessori accreditation council for teacher education (MACTE).

(8) A program director shall appoint a substitute for a lead caregiver who has an absence that exceeds 30 consecutive workdays until return or replacement of the lead caregiver. A substitute shall meet the qualifications of the lead caregiver or be currently enrolled in relevant training.

(9) The center shall keep on file verification of the educational qualifications of the program director and the credential qualifications, as applicable.

Annual Administrative Code Supplement
2006 Edition

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2001 MR 7, Eff. Apr. 12, 2001; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5103a. Lead caregiver qualifications; responsibilities.

Rule 103a. (1) For purposes of this rule:

- (a) "Child-related fields" means elementary education, child guidance/counseling, child psychology, family studies, and social work.
- (b) "Child care administration" means child care administration, education administration, or business administration.
- (c) A "Child Development Associate Credential" (CDA) means a credential awarded by the council for professional recognition or similar credential approved by the department.
- (d) A "Montessori credential" means a credential issued by the association Montessori internationale (AMI), American Montessori society (AMS), or any Montessori teaching training institution recognized by the Montessori accreditation council for teacher education (MACTE) that meets or exceeds 270 hours of academic training.
- (e) Degrees and semester hours shall be from an accredited college or university.
- (f) "CEU" means a continuing education unit awarded by a state board of education or an accredited college or university sponsor of continuing education units.
- (g) "Hours of experience" means that the experience shall be in a licensed or registered facility serving the ages and developmental abilities of the children the caregiver will care for.
- (2) The lead caregiver shall be responsible for the following:
 - (a) Oversee the planning, implementation, and evaluation of the classroom program and child assessment.
 - (b) Oversee caregiving staff for a specific group of children and overall care and supervision of children.
- (3) At least 1 lead caregiver shall be assigned to each group of children in self-contained or well-defined space and shall be present and providing care in the assigned group in the following manner:
 - (a) Full time for programs operating less than 6 continuous hours.
 - (b) At least 6 hours per day for programs operating 6 or more continuous hours.
- (4) The lead caregiver shall have the following qualifications:
 - (a) Be at least 19 years of age.
 - (b) Have a high school diploma or ged.
 - (c) Have current certification in infant, child, and adult cardiopulmonary resuscitation (cpr) and first aid.
- (5) The center shall ensure that the qualifications of the lead caregiver meet 1 of the following:

	Education	Semester Hours/CEUS in a child-related field	Hours of Experience
(a)	Bachelor's degree or higher in early childhood education, child development, or a child-related field		
(b)	Associate's degree or higher in early childhood education or child development		
(c)	Montessori credential with →		480 hours
(d)	Child development associate credential with →		480 hours
(e)	High school diploma/GED with →	12 semester hours with →	960 hours
(f)	High school diploma/GED with →	Combination of: 12 semester hours and/or 18 ceus to equal 180 clock hours with →	1920 hours
(g)	High school diploma/GED with →	Combination of: 6 semester hours and/or 9 ceus to equal 90 clock hours with →	3840 hours

- (6) A lead caregiver for infants and toddlers shall have 3 semester hours in infant/toddler development and care practices, from an accredited college or university, or 4.5 ceus in infant/toddler development and care practices. These hours or ceus may satisfy a portion of the requirements of subrule (5) of this rule.

Annual Administrative Code Supplement
2006 Edition

(7) Within 2 years from the effective date of these rules, the center shall comply with subrule (5) of this rule and, if applicable, subrule (6) of this rule.

(8) The center shall keep on file verification of the education, credential, and experience qualifications of each lead caregiver, as applicable.

History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5104 Staff.

Rule 104. (1) All staff shall be of responsible character and suitable to meet the needs of children.

(2) A staff member shall not be present in a child care center if he or she has been convicted of either of the following:

(a) Child abuse or child neglect.

(b) A felony involving harm or threatened harm to an individual within the 10 years immediately preceding the date of hire.

(3) A staff member shall provide the child care center with documentation from the department of human services that he or she has not been named in a central registry case as the perpetrator of child abuse or child neglect before having contact with a child in care.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000 ; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5104a Volunteers.

Rule 104a. (1) A volunteer shall not have unsupervised contact with children in care if he or she has been convicted of either of the following:

(a) Child abuse or child neglect.

(b) A felony involving harm or threatened harm to an individual within the 10 years immediately preceding the date of offering to volunteer at the child care center.

(2) A volunteer shall provide the child care center with documentation from the department of human services that he or she has not been named in a central registry case as the perpetrator of child abuse or child neglect before having unsupervised contact with a child in care.

(3) Each child care center shall establish and maintain a written policy regarding supervision of volunteers, including volunteers who are parents of a child in care.

History: 2000 MR 4, Eff. Jul 1, 2000 ; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5104b Health of staff and volunteers; report.

Rule 104b. (1) The center shall have on file a report, signed by a licensed physician, for each staff member and each volunteer who has contact with children at least 4 hours per week for more than 2 consecutive weeks. This report shall declare, to the best of the physician's knowledge, the physical capability of the staff member to perform the duties required. The report shall be signed not more than 6 months before, or 30 days after, the start of employment.

(2) The center shall have on file evidence that each staff member and each volunteer who has contact with children at least 4 hours per week for more than 2 consecutive weeks is free from communicable tuberculosis, verified within 1 year before employment.

History: 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5105 Ratio of caregivers to preschool children.

Rule 105. (1) The center shall provide appropriate care and supervision of children at all times.

(2) A minimum of 2 staff members, 1 of whom is a caregiver, shall be present at all times when 7 or more children are present.

(3) The ratio of caregivers to children present at all times shall be based upon all of the following provisions:

(a) For children 3 years of age, there shall be 1 caregiver for 10 children or each fraction of 10, including children who are related to the staff and the licensee.

(b) For children 4 years of age, there shall be 1 caregiver for 12 children or each fraction of 12, including children who are related to the staff and the licensee.

(c) If there are children of mixed ages in the same room or in a well-defined space, then the ratio shall be determined by the age of the youngest child, unless each group of children is clearly separated and the appropriate child/staff ratios for each age group are maintained.

(4) An exception to the requirements of subrule (2) of this rule may be made when the center is transporting children and is in compliance with R 400.5611(2), (3), and (4).

History: 1979 ACS 2, Eff. June 4, 1980; 1984 MR 7, Eff. July 24, 1984; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

Annual Administrative Code Supplement
2006 Edition

R 400.5105a Rescinded.

History: 2000 MR 4, Eff. Jul 1, 2000; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5105b Rescinded.

History: 2000 MR 4, Eff. Jul 1, 2000; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5106 Program.

Rule 106. (1) A developmentally appropriate program shall be implemented that includes all of the following areas:

- (a) Physical development.
 - (b) Social development.
 - (c) Emotional development.
 - (d) Intellectual development.
- (2) The following types of activities shall be provided daily:
- (a) Quiet and active.
 - (b) Individual, small groups, and large groups.
 - (c) Large and small muscle.
 - (d) Child initiated and staff initiated.
 - (e) Developmentally appropriate language and literacy experiences throughout the day accumulating for not less than 30 minutes.
 - (f) Early math and science experiences.
- (3) Daily activities shall be planned so that each child may do the following:
- (a) Have opportunities to feel successful and feel good about himself or herself and develop independence.
 - (b) Use materials and take part in activities which encourage creativity.
 - (c) Learn new ideas and skills.
 - (d) Participate in imaginative play.
- (4) Television, video tapes, movies, electronic devices and computers shall be designed for children's education and/or enjoyment, and shall be suitable to the age of the child in terms of content and length of use.
- (a) Programs or movies with violent or adult content shall not be permitted while children are in care.
 - (b) Other activities shall be available to children during television/movie viewing.
- (5) A daily activity guide relating to the curriculum and each age group shall be prepared and posted in a place visible to parents or otherwise made available to them.
- (6) The center shall provide daily outdoor play when children are in attendance for 5 or more continuous hours per day, unless prevented by inclement weather or other weather conditions that could result in children becoming overheated or excessively chilled.
- (7) The center shall provide a naptime or quiet time when children under school-age are in attendance 5 or more continuous hours per day.
- (8) The center shall provide opportunities to rest for children less than 3 years of age regardless of the number of hours in care.
- (9) The center shall permit infants to eat and sleep on demand.
- (10) The licensee shall, for children with special needs, work with the parents, medical personnel and/or other relevant professionals to provide care according to the child's identified needs.
- (11) The center shall permit parents to visit the program for the purpose of observing their children during hours of operation.
- History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2003 MR 14, Eff. Sept. 1, 2003; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5107 Discipline.

Rule 107. (1) The staff shall use positive methods of discipline that encourage self-control, self-direction, self-esteem, and cooperation.

(2) The following means of punishment shall be prohibited:

- (a) Hitting, spanking, shaking, biting, pinching, or inflicting other forms of corporal punishment.
- (b) Restricting a child's movement by binding or tying him or her.
- (c) Inflicting mental or emotional punishment, such as humiliating, shaming, or threatening a child.
- (d) Depriving a child of meals, snacks, rest, or necessary toilet use.
- (e) Confining a child in an enclosed area, such as a closet, locked room, box, or similar cubicle.

(3) Non-severe and developmentally appropriate discipline or restraint may be used when reasonably necessary, based on a child's development, to prevent a child from harming himself or herself or to prevent a child from harming other persons or

Annual Administrative Code Supplement
2006 Edition

property, excluding those forms of punishment prohibited by subrule (2) of this rule.

(4) A policy shall be developed and implemented regarding the discipline of children. It shall be:

- (a) In written form.
- (b) Age appropriate.
- (c) Provided to staff and parents.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5108 Equipment.

Rule 108. (1) The center shall provide an adequate and varied supply of play equipment, materials, and furniture, which meet the following criteria:

- (a) Appropriate to the developmental needs and interests of children.
- (b) Safe, clean, and in good repair.
- (c) Child-sized or appropriately adapted for a child's use.
- (d) Easily accessible to the children.
- (2) The center shall have sufficient materials and equipment to provide a minimum of 3 playspaces per child in the licensed capacity.
- (3) A minimum of 2 playspaces shall be available and accessible per child in attendance on any given day during child-initiated activity time.
- (4) Children shall have access to equipment and materials in the following areas on a daily basis:
 - (a) Large and small muscle activity.
 - (b) Sensory exploration.
 - (c) Social interaction and dramatic play.
 - (d) Discovery and exploration.
 - (e) Early math and science experiences.
 - (f) Creative experiences through art, music, and literature.
- (5) The center shall provide a complete equipment inventory to the department before initial licensure and update it at each renewal.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5109 Sleeping equipment.

Rule 109. (1) The center shall provide each child enrolled for 5 or more continuous hours and, upon a parent's request, each child in attendance during nap time, with a cot or a mat constructed of a fabric or plastic which is easily cleanable.

- (2) Each cot and mat shall be cleaned and sanitized between use by different children and at least once a week regardless of use by different children.
- (3) Each child shall be provided with a sheet or blanket of appropriate size that shall be the following:
 - (a) For the exclusive use of 1 child between launderings.
 - (b) Washed at least weekly or more often if soiled.
 - (c) Stored so that it does not make contact with other bedding.
- (4) All occupied cots and mats shall be spaced at least 18 inches apart and in a manner that provides a free and direct means of egress.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5109a Nighttime care.

Rule 109a. If a child is in care between the hours of 11 p.m. and 6 a.m., then the following shall be required:

- (a) A separate area away from sleeping children where the child can engage in quiet activities.
- (b) A bed and mattress, with a waterproof covering, of a size appropriate to the age of each child.

History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5110 Food services and nutrition.

Rule 110. (1) Snacks and meals shall be provided by the center, except when 1 of the following circumstances occurs:

- (a) A majority of the children are in attendance less than 4 hours.
- (b) Food is provided by a parent.
- (2) Food provided by the center shall be of sufficient quantity and nutritional quality to provide for the dietary needs of each child according to the minimum meal requirements of the child and adult care food program as administered by the Michigan department of education based on 7 C.F.R. Part 226, 1-1-05 edition, of the U. S. department of agriculture, food and nutrition services, child and adult care food program and is hereby adopted by reference. A copy can be obtained at no charge on the

Annual Administrative Code Supplement
2006 Edition

internet at www.fns.usda.gov/cnd/Care/CACFP/cacfphome.htm, or from the department of human services, P.O. Box 30650, Lansing, Michigan, 48909.

(3) A child shall be served meals and snacks in accordance with the following schedule:

(a) Four hours to 6 hours of operation: a minimum of 1 meal and 1 snack.

(b) Seven hours to 10 hours of operation: a minimum of 1 meal and 2 snacks, or 2 meals and 1 snack.

(c) Eleven hours or more of operation: a minimum of 2 meals and 2 snacks.

(4) The center shall assure that a child is not deprived of a snack or meal if the child is in attendance at the time when the snack or meal is served.

(5) Menus shall be planned in advance, shall be dated, and shall be posted in a place visible to parents. Food substitutions shall be noted on the menus.

(6) The center shall assure that a child with special dietary needs is provided with snacks and meals in accordance with the child's needs and with the instructions of the child's parent or a licensed physician.

(7) Adequate staff shall be provided so that food service activities do not detract from direct care and supervision of children.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5111 Children's records.

Rule 111. (1) At the time of the child's initial attendance, a child information card, using a form provided by the department or a comparable substitute, filled out by the parent, including written permission, signed by the parent, to seek emergency medical care shall be obtained and kept on file and accessible in the center.

(2) Child information cards shall be updated annually or when changes occur.

(3) At the time of initial attendance, 1 of the following shall be obtained and kept on file and accessible in the center:

(a) A certificate of immunization showing a minimum of 1 dose of each immunizing agent specified by the department of community health.

(b) A copy of a waiver addressed to the department of community health and signed by the parent stating immunizations are not being administered due to religious, medical, or other reasons.

(4) When a child has been in attendance for 4 months, an updated certificate showing completion of all additional immunization requirements as specified by the department of community health shall be on file unless there is a signed statement by a licensed physician or his or her designee stating immunizations are in progress.

(5) Within 30 days of initial attendance, 1 of the following shall be obtained and kept on file and accessible in the center:

(a) For infants and young toddlers: A physical evaluation performed within the preceding 3 months signed by a licensed physician or his or her designee. Restrictions shall be noted.

(b) For older toddlers and pre-school age: A physical evaluation performed within the preceding year signed by a licensed physician or his or her designee. Any restrictions shall be noted.

(6) Physical evaluations shall be updated as follows:

(a) Yearly for infants and young toddlers.

(b) Every 2 years for older toddlers and pre-school age.

(7) The center shall assure that if a parent objects to a physical examination or medical treatment on religious grounds, then the parent provides a signed statement annually that the child is in good health and that the parent assumes responsibility for the child's state of health while at the center.

(8) The center shall maintain an accurate record of daily attendance at the center that includes each child's first and last name, and each child's arrival and departure time.

(9) Parent's written permission for the child's participation in field trips shall be obtained at the time of enrollment or before each field trip and kept on file in the center.

(10) Parents shall be notified before each field trip.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5111a Accident, injury, illness, death reporting.

Rule 111a. (1) The center shall make a verbal report to the department within 24 hours of a serious injury, or accident, or a serious illness or medical condition occurring while a child is in care that results in emergency medical treatment at a health facility or hospitalization, or death.

(2) The center shall submit a written report in a format provided by the department within 72 hours of a serious injury or accident, or a serious or medical condition which results in emergency medical treatment at a health facility or hospitalization, or death. A copy of the report shall be kept on file at the center.

History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5111b Health care policies and resources.

Annual Administrative Code Supplement
2006 Edition

Rule 111b. A written health care plan shall be implemented that includes the following:

- (a) Health practices and policies including procedures for the following:
 - (i) Children and staff hand washing.
 - (ii) Handling children's bodily fluids.
 - (iii) Cleaning and sanitizing of all equipment, toys and other surfaces.
 - (iv) Controlling infection, including universal precautions.
- (b) Health-related resources.

History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5112 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR Eff. Jul 1, 2000; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5113 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR Eff. Jul 1, 2000; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5113a Emergency procedures.

Rule 113a. (1) The center shall have written procedures for the care of children and staff for each of the following emergencies:

- (a) Fire.
 - (b) Tornado.
 - (c) Serious accident, illness, or injury.
 - (d) Crisis management, including, but not limited to intruders and bomb threats.
- (2) The center shall inform each member of the staff of his or her duties and responsibilities if an emergency occurs. Emergency procedures shall be reviewed with staff at least twice a year.
- (3) The center shall establish and implement a fire drill program for staff and children consisting of at least 1 fire drill quarterly to assure prompt evacuation of the building in case of emergency.
- (4) The center shall establish and implement a tornado drill program consisting of at least 2 tornado drills during the months of April to October to assure prompt emergency procedures in the case of a tornado.
- (5) The center shall post emergency procedures and evacuation plans in a place visible to staff and parents.
- (6) A written log indicating the date and time of fire and tornado drills shall be on file at the center.
- (7) If cribs are used in emergency evacuations, then all doors within the means of egress shall be wide enough to readily accommodate the crib evacuation.

History: 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5113b Medication; administrative procedures.

Rule 113b. (1) Medication, prescription or nonprescription, shall be given to a child by an adult caregiver only.

- (2) Medication, prescription or nonprescription, shall be given or applied only with prior written permission from a parent.
- (3) All medication shall be its original container, stored according to instructions, and clearly labeled for a named child.
- (4) Prescription medication shall have the pharmacy label indicating the physician's name, child's name, instructions, and name and strength of the medication and shall be given according to those instructions.
- (5) All medication shall be kept out of the reach of children and shall be returned to the child's parent or destroyed when the parent determines it is no longer needed or it has expired.
- (6) A caregiver shall give or apply any prescription or nonprescription medication according to the directions on the original container unless authorized by a written order of the child's physician.
- (7) Topical nonprescription medication, including, but not limited to sunscreen and insect repellent, requires written parental authorization annually.
- (8) The center shall maintain a record as to the time and the amount of medication given or applied, with the exception of subrule (7) of this rule, on a form provided by the department or a comparable substitute approved by the department. The signature of the caregiver administering the medication shall be included.

History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5113c Child illness.

Rule 113c. (1) Parents shall be notified when the center observes changes in the child's health, a child experiences accidents or injuries, or when a child is too ill to remain in the group.

- (2) The center shall assure that a child too ill to remain in the group is placed in a separate area and is cared for and supervised until the parent arrives.

Annual Administrative Code Supplement
2006 Edition

(3) Items and facilities, including sleep equipment, bedding, utensils, toys, toilets, and lavatories, used by the ill child shall not be used by any other person until thoroughly cleaned and sanitized.

(4) If the center becomes aware that a child in care has contracted a communicable disease, then the center shall notify parents of the following:

(a) The name of the communicable disease.

(b) The child may have been exposed.

(c) The symptoms of the disease.

History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5114 Information provided to parents.

Rule 114. (1) A licensee shall develop a written information packet to be provided to each parent enrolling a child that includes, but is not limited to the following:

(a) Criteria for admission and withdrawal.

(b) Schedule of operation, denoting hours, days, and holidays during which the center is open and services are provided.

(c) Fee policy.

(d) Discipline of children.

(e) Nutrition and food service program.

(f) Program philosophy and typical daily schedule.

(g) Health care plan.

History: 1979 ACS 2, Eff. June 4, 1980; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5115 Telephone service.

Rule 115. (1) A land-line telephone, excluding pay phones, cell phones, and cordless phones, shall be available, operable, and accessible in the building during the hours that the center is in operation. An operable land-line telephone does not require electricity in the center to operate.

(2) During the hours the center is in operation, the center shall provide a telephone number known to the public and available to parents to provide immediate access to the center.

(3) Emergency telephone numbers, including 911, fire, police, poison control center, and emergency medical services, shall be conspicuously posted immediately adjacent to the telephone.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5116 Indoor space.

Rule 116. (1) Indoor activity space shall be used by and accessible to each child.

(2) The required square footage of space per child shall be at least the following:

(a) Fifty square feet for infants and young toddlers.

(b) Thirty-five square feet for older toddlers to school-age.

(3) The following indoor space is excluded from the required square footage:

(a) Hallways.

(b) Bathrooms.

(c) Reception and office areas.

(d) Kitchens.

(e) Storage areas and cloakrooms.

(f) Areas used exclusively for resting, sleeping, or eating, except for infants and young toddlers.

(4) The center shall provide a floor plan of all child use areas to the department. Only space that has received prior approval for child use by the department may be used for child care. Structural changes and unapproved areas shall be reviewed and approved by the department before use.

History: 1979 ACS 2, Eff. June 4, 1980; 1984 MR 7, Eff. July 24, 1984; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5117 Outdoor play area.

Rule 117. (1) The outdoor play area shall be considered an outdoor classroom and an extension of the learning environment.

(2) Children shall only use age-appropriate equipment.

(3) A center operating with children in attendance for 5 or more continuous hours a day shall have an outdoor play area that has at least 1,200 square feet. More than 1,200 square feet of outdoor play area may be required when the minimum amount is not adequate for the safe and accessible use by the number of children to be cared for by the center.

(4) If outdoor space is not available adjacent to the center, then a park or other outdoor facility may be used. The following

Annual Administrative Code Supplement
2006 Edition

shall apply:

- (a) The area shall be easily accessible by a safe walking route.
 - (b) The play area shall be inspected before each use to ensure that no hazards are present.
 - (c) The location of the alternative outdoor play area shall be specified in writing to the department.
 - (5) An outdoor play area located on the center's premises and all outdoor play equipment shall be maintained in a safe condition and inspected daily before use to ensure that no hazards are present.
 - (6) The outdoor play area shall be in a safe location. It shall be protected from hazards, when necessary, by a fence or natural barrier that is at least 48 inches in height.
 - (7) The equipment in the outdoor play area shall comply with the guidelines of the 1997 edition of the Handbook for Public Playground Safety, PUB No. 325, and is hereby adopted by reference. Copies may be obtained, at no cost, from the Consumer Product Safety Commission (CPSC), Washington, D.C. 20207 (www.cpsc.gov) or from the department of human services, P.O. Box 30650, Lansing, Michigan 48909. Documentation of compliance shall be provided to the department upon request, and kept on file in the center. Centers licensed before the promulgation of these rules shall have 2 years from the effective date of these rules to meet the requirements of this rule.
 - (8) The surface materials and use zones in the outdoor play area shall comply with the guidelines of the Handbook for Public Playground Safety, PUB No. 325, referenced in subrule (7) of this rule. In addition, the following shall apply:
 - (a) Protective surfaces such as wood mulch, double shredded bark mulch, uniform wood chips, fine or coarse sand, pea gravel, rubber or rubber over foam mats or tiles, poured in place urethane and rubber compositions shall be provided in areas where climbing, sliding, swinging, or other equipment from which a child might fall is located.
 - (b) Loose-fill surfacing material shall not be installed over concrete.
 - (c) If children's wheeled vehicles and pull toys are used, then a suitable surface shall be provided for their use.
 - (9) The compressed depth of the surface material that is required shall be based on the critical fall height of the equipment.
 - (a) Six inches of approved surfacing material is required for equipment with a critical fall height of up to 7 feet.
 - (b) Nine inches of approved surfacing material is required for equipment with a critical fall height of 7 feet to 10 feet.
 - (c) When sand is used as a surfacing material, 12 inches of sand is required for equipment with a critical fall height of 5 to 10 feet.
 - (10) The depth of the loose-fill surface material shall be restored to its required depth when it has moved or become packed.
 - (11) Trampolines are prohibited for use by children in care.
 - (12) There shall be a shaded area in the summer to protect children from excessive sun exposure.
 - (13) Centers licensed before the promulgation of these rules shall have 1 year from the effective date of these rules to comply with subrules (8) and (9) of this rule.
 - (14) School-age child care centers operating in school buildings approved by the Michigan department of education shall be exempt from subrules (7), (8), and (9) of this rule, provided the licensee inform parents, in writing at the time of enrollment, if the center plans to use a public school's outdoor play area and equipment that does not comply with this rule.
- History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5118 Rule variances.

- Rule 118. (1) Upon written request of an applicant or licensee, the department may grant a variance from an administrative rule if the alternative proposed provides clear and convincing evidence that the health, welfare, and safety of children is protected.
- (2) The decision of the department, including the conditions under which the variance was granted, shall be kept on file with the applicant or licensee.
 - (3) The granted variance may remain in effect for as long as the licensee continues to comply with the conditions of the variance or may be time-limited.
- History: 1979 ACS 2, Eff. June 4, 1980; 2006 MR 11, Eff. Dec. 7, 2006.

PART 2. ADDITIONAL PROVISIONS FOR CARE OF CHILDREN
BETWEEN AGES OF 2 WEEKS AND 2 1/2 YEARS

R 400.5201 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5201a Ratio of caregivers to infants/young toddlers/older toddlers.

Rule 201a. (1) At least 2 staff members, 1 of whom is a caregiver, shall be present at all times when at least 3 children between the ages of birth and 3 years of age are present.

Annual Administrative Code Supplement
2006 Edition

(2) The ratio of caregivers to children present at all times shall be based on the following provisions:

(a) For infants and young toddlers, 0-30 months, there shall be 1 caregiver for 4 children or each fraction of 4, including children who are related to the staff and the licensee.

(b) For older toddlers, 30-36 months, there shall be 1 caregiver for 8 children or each fraction of 8, including children who are related to the staff and the licensee.

(c) Children who have reached 33 months of age may be enrolled in a 3-year-old classroom with written parental permission. Ratios for 3-year-olds shall apply.

(3) If there are children of mixed ages in the same room or in a well-defined space, then the ratio shall be determined by the age of the youngest child.

History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5201b Group size for infants; young toddlers; older toddlers.

Rule 201b. (1) The center shall assure that the maximum group size for infants and young toddlers is 12.

(2) The center shall assure that the maximum group size for older toddlers is 16.

(3) Centers shall have 1 year from the effective date of these rules to comply with this rule.

History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5202a Primary care.

Rule 202. (1) For the purposes of this rule, primary care means the following:

(a) Continuity of a relationship so that a child has as few primary caregivers, including substitute caregivers, as possible during any given day, within any given week, and over an extended period of time.

(b) Continuity of care to allow children and their primary caregiver to develop nurturing relationships over time.

(c) Appropriate social-emotional interaction, including, but not limited to smiling, holding, talking to, rocking, cuddling, eye contact, interacting with the child during routines and play activities, and providing guidance that helps the child develop social skills and emotional well-being.

(2) The center shall implement a primary care system so that each infant, young toddler, and older toddler has a primary caregiver.

(3) Each child shall have not more than 4 primary caregivers in a week. For centers operating less than 24 hours a day, an exception may occur during the first hour after the center opens and the hour before closing.

(4) Information regarding a child's food, health, and temperament shall be shared daily between caregivers when more than 1 primary caregiver is assigned to any infant, young toddler, or older toddler.

(5) Primary caregiving assignments shall be documented and provided to parents.

(6) An exception to R 400.5202 may be made when the center is transporting children and is in compliance with R 400.5611(1) and (2).

History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5204 Bedding and sleeping equipment for infants/toddlers; seating for staff.

Rule 204. (1) All bedding and equipment shall be appropriate for the child and be clean, comfortable, safe and in good repair. Bedding shall also be in compliance with 2000 PA 219, MCL 722.1051, and known as the children's product safety act.

(2) A safe crib shall have the following:

(a) A firm, tight-fitting mattress.

(b) No loose, missing, or broken hardware or slats.

(c) Not more than 2 3/8 inches between the slats.

(d) No corner posts over 1/16 inches high.

(e) No cutout designs in the headboard or footboard.

(3) All bedding and sleep equipment shall be cleaned and sanitized before being used by another person.

(4) All bedding shall be washed when soiled or weekly at a minimum.

(5) An infant shall rest or sleep alone in an approved crib or porta-crib. The following provisions shall apply:

(a) A tightly fitted bottom sheet shall cover a firm mattress with no additional padding placed between the sheet and mattress.

(b) The infant's head shall remain uncovered during sleep.

(c) Soft objects, bumper pads, stuffed toys, blankets, quilts or comforters, and other objects that could smother a child shall not be placed with or under a resting or sleeping infant.

(d) Blankets shall not be draped over cribs or porta-cribs.

(6) Toddlers shall rest or sleep alone in approved cribs, porta-cribs, or on approved mats or cots.

(7) Car seats, infant seats, swings, bassinets and playpens are not approved sleeping equipment for children.

(8) Infants and toddlers who fall asleep in a space that is not approved for sleeping shall be moved to approved sleep

Annual Administrative Code Supplement
2006 Edition

equipment appropriate for their size and age.

(9) Stacking cribs are prohibited after the effective date of these rules. Centers using stacking cribs before the effective date of these rules may continue to use existing stacking cribs only for children under 7 months of age or not yet standing.

(10) When existing stacking cribs need to be replaced, the replacement cribs shall meet the requirements of subrules (1) and (2) of this rule.

(11) All occupied cribs and porta-cribs shall be spaced at least 2 feet apart and in such manner that there is a free and direct means of egress.

(12) When sleeping equipment and bedding are stored, sleeping surfaces shall not come in contact with other sleeping surfaces.

(13) A rocking chair or other comfortable, adult-sized seating shall be provided for 50% of the caregiving staff on duty who are providing infant and toddler care.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5204a Infant sleeping and supervision.

Rule 204a. (1) Infants shall be placed on their backs for resting and sleeping.

(2) Infants unable to roll from their stomachs to their backs, and from their backs to their stomachs, when found facedown, shall be placed on their backs.

(3) When infants can easily turn over from their backs to their stomachs, they shall be initially placed on their backs, but allowed to adopt whatever position they prefer for sleep.

(4) For an infant who cannot rest or sleep on her or his back due to disability or illness, the caregiver shall have written instructions, signed by a physician, detailing an alternative safe sleep position and/or other special sleeping arrangements for the infant. The caregiver shall rest/sleep children according to a physician's written instructions.

(5) The caregiver shall maintain supervision and frequently monitor infants' breathing, sleep position, and bedding for possible signs of distress.

(6) Resting or sleeping areas shall have adequate soft lighting to allow the caregiver to assess children.

(7) Video surveillance equipment and baby monitors shall not be used in place of subrule (5) of this rule.

History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5205 Formula; milk; foods generally.

Rule 205. (1) When infants and toddlers are fed at the center, the center shall assure the following:

(a) Infants and toddlers are provided with beverages and food appropriate for their individual nutritional requirements, developmental stages, and special dietary needs, including cultural preferences.

(b) Bottles and individual food containers shall be labeled for a specific child and fed only to that child.

(c) If bottles or food are warmed, then it shall be done in a safe, appropriate manner.

(i) Warming bottles in a microwave oven is prohibited.

(ii) Warmed bottles and food shall be shaken or stirred to distribute the heat, and the temperature tested before feeding.

(d) Formula shall be iron-fortified for a child who is less than 6 months of age, unless otherwise recommended by the parent or the child's licensed health care provider.

(e) Iron-fortified cereal, if not already provided by 6 months of age, shall be provided when the iron-fortified formula is discontinued, unless otherwise recommended by the parent or the child's licensed health care provider.

(f) Solid foods are introduced to the child according to the parent's or licensed health care provider's instructions.

(g) Caregivers shall feed infants and young toddlers on demand.

(h) A sink is used exclusively for formula, food preparation, and clean up.

(2) Infants shall only be served formula or breast milk unless written authorization is provided by the child's licensed health care provider.

(3) Milk, other than cow's milk, shall be served according to nutritional guidelines for the age of the child and/or in compliance with dietary preferences or restrictions when written authorization is provided by the child's parent or licensed health care provider.

(4) Young toddlers shall be served whole homogenized vitamin D-fortified cow's milk, unless written authorization is provided by the child's licensed health care provider.

(5) The center shall comply with the following requirements regarding bottle-feeding:

(a) Bottle propping is prohibited.

(b) Caregivers shall hold infants except when infants resist being held and are able to hold their bottle.

(c) Caregivers shall not permit infants or toddlers to have bottles in sleeping equipment.

(d) The contents of a bottle that appears to be unsanitary, or has been used for feeding for a period that exceeds 1 hour from the beginning of the feeding, or has been unrefrigerated for an hour or more shall be discarded

Annual Administrative Code Supplement
2006 Edition

- (e) Formula and milk left in a bottle at the end of a feeding shall be discarded.
- (f) Bottle supplies and contents shall comply with the following:
 - (i) Disposable nipples and bottle liners shall be for single use only, by an individual child, and discarded after use.
 - (ii) Reusable nipples and bottles shall be cleaned, rinsed, and sterilized before reuse.
 - (iii) Bottle liners shall be for single use only, by an individual child, and discarded with any remaining formula or milk after use.
 - (iv) Bottle liners in unused bottles containing formula shall be discarded, along with the formula, after 48 hours. Bottle liners in unused bottles containing milk shall be discarded, along with the milk, after 24 hours.
 - (v) All liners, nipples, formula, milk and other materials used in bottle preparation shall be prepared, handled, and stored in a sanitary and sterile manner.
- (g) Cereal shall not be added to a bottle containing formula, milk, juice, or water without written parental permission.
- (h) Medication shall not be added to a child's bottle, beverage, or food unless indicated on the prescription label.
- (6) When serving solid foods, the center shall assure that caregivers do the following:
 - (a) Serve commercially packaged baby food from a dish, not directly from a factory-sealed container.
 - (b) Discard uneaten food that remains on a dish from which a child has been fed.
 - (c) Not serve or allow infants and toddlers to eat foods that may easily cause choking including, but not limited to, popcorn, uncut round foods such as whole grapes, hot dogs, seeds, nuts and hard candy.
 - (d) Foster toddler's independence and facilitate language and social interactions by doing the following:
 - (i) Encouraging self-feeding.
 - (ii) Serving appropriate portion sizes.
 - (iii) Sitting and eating with toddlers during meal times.

History: 1979 ACS 2, Eff. June 4, 1980; 1984 MR 7, Eff. July 24, 1984; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5205a Formula, milk, foods provided by parents.

- R 205a. (1) If a parent has agreed to provide formula, milk, or food, then the center shall obtain a written agreement from the parent and shall be responsible for providing adequate formula, milk, or food if the parent does not.
- (2) The center shall comply with R 400.5205 and the following additional requirements regarding breastfeeding and the handling and storage of breast milk:
- (a) The center shall support and accommodate breastfeeding.
 - (b) The center shall have a designated place set aside to accommodate mothers and their children who are breastfeeding.
 - (c) Expressed breast milk shall meet the following requirements:
 - (i) Arrive at the center in clean, sanitary, ready-to-feed assembled bottles labeled with the child's full name and bearing the date of collection.
 - (ii) Be immediately stored in the refrigerator or freezer upon arrival at the center and kept refrigerated until used or discarded.
 - (iii) Be thawed under cold running water or in the refrigerator and shall be used within 24 hours.
 - (iv) Be discarded at the end of a feeding.
 - (3) If formula, milk or food is provided by the parents, then the center shall comply with R400.5205 and the following additional provisions:
 - (a) Formula or milk shall be furnished daily to the center in clean, sanitary, ready-to-feed bottles.
 - (b) Formula, milk, and food shall be covered and labeled as to the contents, date, date of opening, when applicable, and the name of the child for whom its use is intended.
 - (c) Formula, milk and perishable foods shall be refrigerated until used.
 - (d) At the end of the day, any formula or milk in an unopened ready-to-feed bottle, or perishable food, shall be returned to the parent or discarded.

History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5205b Formula, milk provided by center.

- Rule 205b. (1) If formula or milk is provided by the center, then the center shall comply with R400.5205 and the following additional provisions:
- (a) Formula and milk shall be commercially prepared, ready-to-feed.
 - (b) If formula or milk is poured directly into a bottle, then the bottle shall be clean and labeled as to the contents and date of preparation.
 - (c) Prepared bottles and containers of milk and formula shall be refrigerated.
 - (d) All formula, once opened, shall be labeled with the date and time of opening and used within 48 hours or discarded.
 - (e) All milk shall be used in compliance with R 400.5902c (11) and (12).

History: 2006 MR 11, Eff. Dec. 7, 2006.

Annual Administrative Code Supplement
2006 Edition

R 400.5206 Records.

Rule 206. (1) For children up to 12 months of age, parents shall receive a written daily record that includes at least the following information:

- (a) Food intake; time, type of food, and amount eaten.
- (b) Sleeping patterns; when and how long child slept.
- (c) Elimination patterns, including bowel movements, consistency and frequency.
- (d) Developmental milestones.
- (e) Changes in the child's usual behaviors.

History: 1979 ACS 2, Eff. June 4, 1980; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5207 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5209 Diapering; toileting.

Rule 209. (1) Diapering shall occur in a designated diapering area that shall be all of the following:

- (a) Physically separated from food preparation and food service.
 - (b) Within close proximity to a hand-washing sink that is used exclusively for this purpose.
 - (c) Have non-absorbent smooth, easily sanitized surfaces in good repair and maintained in a safe and sanitary manner.
 - (d) Of sturdy construction with railings or barriers to prevent falls.
 - (e) At an adult work surface height to minimize children's access.
 - (f) Have diapering supplies within easy reach.
 - (g) Have a plastic-lined, tightly covered container exclusively for disposable diapers and diapering supplies that shall be emptied and sanitized at the end of each day.
 - (h) Cleaned and sanitized after each use.
- (2) Only single use disposable wipes or other single use cleaning cloths shall be used to clean a child during the diapering or toileting process.
- (3) The caregiver shall frequently check diapers/training pants and change diapers or training pants that are wet or soiled.
- (4) Toddlers in wet diapers or training pants may be changed in a bathroom.
- (5) Diapering shall not be done on any sleep surface.
- (6) The caregiver shall thoroughly wash his or her hands after each diapering and after cleaning up bodily fluids.
- (7) Guidelines for diapering and hand washing shall be posted in diapering areas.
- (8) Disposable gloves, if used for diapering, shall only be used once for a specific child and be removed and disposed of in a safe and sanitary manner immediately after each diaper change.
- (9) Diapers shall be disposable or from a commercial diaper service. If a child's health condition necessitates that disposable diapers or diapers from a commercial service cannot be used, then an alternative arrangement may be made according to the child's parent or licensed health care provider.
- (10) The following shall apply when cloth diapers or training pants are used:
- (a) No rinsing of the contents shall occur at the center.
 - (b) There shall be a waterproof outer covering that shall not be reused until thoroughly washed and sanitized.
- (11) Toilet learning/training shall be planned cooperatively between the child's primary caregiver and the parent so that the toilet routine established is consistent between the center and the child's home.
- (12) Equipment used for toilet learning/training shall be provided. Adult-sized toilets with safe and easily cleaned modified toilet seats and step aids or child-sized toilets shall be used.
- (13) Non-flushing toilets (potty chairs) may be used under the following conditions:
- (a) Easily cleaned and sanitized.
 - (b) Used only in a bathroom area.
 - (c) Used over a surface that is impervious to moisture.
 - (d) Cleaned and sanitized after each use.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

PART 3. ADDITIONAL PROVISIONS FOR CARE OF CHILDREN 6 YEARS OF AGE AND OLDER

R 400.5301 Definitions.

Rule 301. (a) "Child-related fields" means early childhood education, elementary education, secondary education, physical education and recreation, child development, child guidance/counseling, child psychology, family studies and social work,

Annual Administrative Code Supplement
2006 Edition

human services, and youth development.

(b) "Child care administration" means child care administration, education administration, or business administration.

(c) A "Child development associate credential" (CDA) means a credential awarded by the council for professional recognition or similar credential approved by the department.

(d) A "Montessori credential" means a credential issued by the association Montessori internationale (AMI), American Montessori society (AMS), or any Montessori teaching training institution recognized by the Montessori accreditation council for teacher education that meets or exceeds 270 hours of academic training.

(e) "A Michigan school-age care credential" means a credential issued by the Michigan community coordinated child care association or similar credential approved by the department.

(f) Degrees and semester hours shall be from an accredited college or university.

History: 1979 ACS 2, Eff. June 4, 1980; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5302 School-age program director qualifications.

Rule 302. (1) A program director shall be present during the following:

(a) Full time for programs operating less than 6 continuous hours.

(b) At least 50% of the time children are in care, but not less than a total of 6 hours for programs operating 6 or more continuous hours.

(2) A program director shall comply with all of the following:

(a) Be at least 21 years of age.

(b) Have earned a high school diploma or ged.

(c) Have current certification in infant, child, and adult cardiopulmonary resuscitation (cpr) and first aid.

(d) Complete 12 clock hours of annual training on topics referenced in R 400.5102(3)(b), in addition to cpr, first aid, and blood borne pathogen training.

(e) Develop, implement, and evaluate center policies and program.

(f) Administer day-to-day operations.

(g) Oversee staff.

(3) The center shall ensure that the qualifications of the program director meet 1 of the following:

	Education	Semester Hours in a child-related field	Hours of Experience
(a)	Bachelor's degree or higher in a child-related field		
(b)	Associate's degree in a child-related field with →		480 hours
(c)	Montessori credential with →	12 semester hours with →	480 hours
(d)	Michigan school-age credential with →	12 semester hours with →	480 hours
(e)	Child development associate credential with →	12 semester hours with →	480 hours
(f)	60 semester hours with →	12 semester hours with →	720 hours
(g)	High school diploma/GED with →	6 semester hours with →	2880 hours

(4) A program director shall have at least 2 semester hours in child care administration from an accredited college or university, or a minimum of 3.0 ceus in child care administration.

(a) A program director currently employed as a program director before the effective date of these rules shall have 2 calendar years to complete the child care administration requirement.

(b) A program director meeting the qualifications of subrules 3(a) or 3(b) of this rule or having 5 years experience as a program director before the effective date of these rules shall be exempt from the requirements of this rule.

(5) The center shall keep on file verification of the education, credential, and experience qualifications, as applicable.

History: 1979 ACS 2, Eff. June 4, 1980; 1984 MR 7, Eff. July 24, 1984; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5303 Program.

Rule 303. (1) Activities shall be planned and supported through resources that reflect the interests and abilities of the children enrolled, especially supplementing the areas of development not regularly provided for during the school day.

Annual Administrative Code Supplement
2006 Edition

(2) A school-age program shall provide a program that has the following opportunities for each child:

- (a) To plan, carry out, and evaluate the program and his or her individual activities.
- (b) To experience a diversity of activities within the program and community.
- (c) To participate in relaxation and recreational activities.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5303a Ratio of caregivers to school-age children.

Rule 303a. (1) The ratio of caregivers to school-age children present at all times shall be based upon all of the following provisions:

- (a) For children school-age up to 12 years of age, there shall be 1 caregiver to 18 children or a fraction thereof, including children who are related to the staff and the licensee.
- (b) For children from 13 to 17 years of age, there shall be 1 caregiver for 25 children or a fraction thereof, including children who are related to the staff and the licensee.

History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5305 Health records.

Rule 305. (1) Upon enrollment and annually thereafter, the center shall obtain and keep on file at the center a signed statement from the school-age child's parent all of the following:

- (a) The child is in good health with activity restrictions noted.
- (b) The child's immunizations are up-to-date.
- (c) The immunization record or appropriate waiver is on file with the child's school.

History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5306 Multisite school-age program director.

Rule 306. (1) A program director with a bachelor's degree or higher in a child-related field may oversee up to 3 sites with the following conditions:

- (a) Each program routinely operates 6 hours or fewer per day.
- (b) The program director is available during all hours of program operation.
- (c) The program director supervises the planning and evaluation of the program and the staff.
- (2) The program director shall be at each site a minimum of 1 session per week and maintain written documentation of site visits, including dates and times.
- (3) The multisite program director shall meet the training requirements in R 400.5302(2)(d).

History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5307 Site supervisor qualifications; responsibilities.

Rule 307. (1) For multisite programs, with a program director responsible for more than 1 center, the licensee shall assure that a site supervisor is present during all hours of operation.

(2) The site supervisor shall meet all of the following:

- (a) Be at least 19 years of age.
- (b) Have earned a high school diploma, ged, or equivalent.
- (c) Have 480 hours of experience working as a caregiver in a program serving school-age children that meets the requirements of 1973 PA 116, MCL 722.111.
- (d) Have completed 16 clock hours of documented school-age training.
- (e) Have current certification in infant, child, and adult cardiopulmonary resuscitation (CPR) and first aid training.
- (3) The site supervisor shall meet the training requirements in R 400.5302(2)(d).
- (4) The site supervisor shall be responsible for the daily operation and implementation of the site program, supervision of the site staff, and for overall care and supervision of children.
- (5) A site supervisor shall assist the program director in all of the following:
 - (a) Developing, implementing, and evaluating program and center policies.
 - (b) Administering day-to-day operations.
 - (c) Monitoring and overseeing staff.

History: 2006 MR 11, Eff. Dec. 7, 2006.

PART 4. ADDITIONAL PROVISIONS FOR DROP-IN CENTERS

R 400.5401 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

Annual Administrative Code Supplement
2006 Edition

R 400.5402 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; 1984 MR 7, Eff. July 24, 1984; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5403 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5404 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5405 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

PART 5. ADDITIONAL PROVISIONS FOR SPECIFIC PROGRAM COMPONENTS

R 400.5501 Definitions.

Rule 501. (1) As used in this part:

(a) "Lifeguard" means a person who meets the following criteria:

(i) Possesses an appropriate and current life guard training and certification by Red Cross, YWCA, YMCA, or equivalent in 1 of the following:

(A) Basic lifeguard for pool only.

(B) Full life guarding for pool and all other water activities.

(ii) Is dressed suitably to act in an emergency.

(iii) Is providing constant supervision.

(b) "Public swimming pool" means an artificial body of water used collectively by a number of individuals primarily for the purpose of swimming, wading, recreation, or instruction and includes related equipment, structures, areas, and enclosures intended for the use of individuals using or operating the swimming pool such as equipment, dressing, locker, shower, and toilet rooms. Public swimming pools include those which are for parks, schools, motels, camps, resorts, apartments, clubs, hotels, mobile home parks, subdivisions, and the like. A pool or portable pool located on the same premises with a 1-, 2-, 3-, or 4-family dwelling and for the benefit of the occupants and their guests, a natural bathing area such as a stream, lake, river, or man-made lake, an exhibitor's swimming pool built as a model at the site of the seller and in which swimming by the public is not permitted, or a pool serving not more than 4 motel units is not a public swimming pool.

History: 1979 ACS 2, Eff. June 4, 1980; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5502 Swimming caregiver-to-child ratio.

Rule 502. (1) The center shall obtain and keep on file written parental permission regarding their child's participation in swimming activities.

(2) A lifeguard shall be on duty at all swimming activities and shall not be included in the caregiver-to-child ratio.

(3) For children under 3 years of age, there shall be an in-the-water ratio of 1 caregiver to 1 child.

(4) For all nonswimmers 3 years of age and older, there shall be an in-the-water ratio of 1 caregiver to 4 children when the water level is at the child's chest height or lower. When the water level is above the child's chest height, there shall be an in-the-water ratio of 1 caregiver to 1 child.

(5) For swimmers 3 years to 4 years of age, there shall be an in-the-water ratio of caregivers to children as required by R 400.5105(3).

(6) For swimmers school-age and older, there shall be an in-the-water ratio as required in R 400.5303a.

History: 1979 ACS 2, Eff. June 4, 1980; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5502a Swimming activity supervision.

Rule 502a (1) All caregiving staff counted in the caregiver-to-child ratio shall be both of the following:

(a) Actively engaged in providing direct care, supervision, and guidance.

(b) Physically able to assist children quickly.

History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5502b Instructional swim.

Rule 502b. (1) Instructional swim shall be conducted under the supervision of a qualified water safety instructor (WSI), in an organization such as the YMCA or YWCA, and where instructional swim is part of the organized program.

Annual Administrative Code Supplement
2006 Edition

(2) The ratio of caregivers to children under R 400.5105(3) and R 400.5303a shall be maintained. The instructor shall not be included in the ratio.

History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5502c Swimming activity area.

Rule 502c. (1) All swimming areas shall be maintained in a clean and safe condition.

(2) When a swimming pool is utilized by children while under the care of a center, it shall be constructed and operated in compliance with 1978 PA 368, MCL 333.1101 et seq.

(3) A public or private pool used for swimming shall be inspected and issued a permit for operation by the environmental health authority.

(4) Before using a public or private beach, the center shall assure that the water has not been deemed unsafe by the environmental health authority.

(5) A working telephone shall be accessible on the premises.

(6) All of the following safety equipment shall be readily accessible:

(a) First aid kit.

(b) Rescue pole or throwing rope and ring buoy.

(c) Signaling device.

(7) The use of private wading pools and hot tubs is prohibited.

History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5503 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

PART 6. TRANSPORTATION PROVISIONS

R 400.5601 Definitions.

Rule 601. As used in this part:

(a) "Child passenger restraint device" means a device that is used to restrain a child weighing less than 65 pounds that meets the requirements of federal motor vehicle safety standard no. 213, child seating systems, 49 C.F.R. §571, revised 10-1-2002, and is hereby adopted by reference. Copies of the adopted matter may be obtained at no cost from the U.S. department of transportation website (www.nhtsa.dot.gov/cars/rules) or from the department of human services, P.O. box 30650, Lansing, Michigan 48909.

(b) "Manufacturer's rated seating capacity" means the number of places or spaces provided by the manufacturer of a vehicle for the driver and passengers to sit while the vehicle is in motion.

(c) "Motor vehicle," means a self-propelled device in which persons are or may be transported upon a highway, which is built on an automobile or truck chassis, which is specifically designed by the manufacturer to transport passengers, or specially modified to transport handicapped passengers, and which meets the safety equipment requirements of the Michigan vehicle code, 1949 PA 300, MCL 257.683 to 257.714b.

(d) "Safety belt" means an automobile lap belt or lap-shoulder belt combination designed to restrain and protect a passenger or driver of a vehicle from injury.

(e) "Transportation" means the conveyance of children by means of a motor vehicle to or from a child care center and to and from all other activities planned for children by or through the child care center.

(f) "Volunteer motor vehicle" means a motor vehicle not owned by, leased by, or registered to the child care center, or principal or employee of the child care center.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5602 Transportation.

Rule 602. (1) If transportation other than public transportation or public school transportation is provided, contracted, or sponsored by the center, all rules in this part apply.

(2) If public transportation or public school transportation is used, then R 400.5611, 400.5613, and R 400.5615 apply.

(3) If a parent makes a private arrangement for the transportation of his or her child, not including arrangements made with the center, the rules in this part do not apply.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5603 All motor vehicles.

Rule 603. (1) All motor vehicles shall be in safe operating condition.

Annual Administrative Code Supplement
2006 Edition

- (2) Motor vehicle seats used by children, staff, and volunteers shall not face sideways.
 - (3) A truck shall not be used to transport children, except in the cab.
 - (4) There shall be no loose or heavy objects in the passenger compartment of any motor vehicle.
 - (5) Motor vehicles with a manufacturers rated seating capacity of 10 passengers or fewer, including the driver, other than volunteer vehicles, shall be inspected annually by a licensed mechanic. A copy of the inspection shall be on file in the center.
 - (6) The use of passenger vans with a rated seating capacity of 11 or more, including volunteer vehicles, shall be prohibited.
 - (a) Existing centers that own passenger vans with a rated seating capacity of 11 or more and use them for transportation other than transportation to and from school shall have 4 years from the effective date of these to comply with this subrule.
 - (b) Annual inspections of vans shall continue until they are no longer used.
 - (7) A statement verifying that the motor vehicle is in compliance with the Michigan vehicle code safety equipment requirements shall be kept on file in the center.
- History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5604 Multifunction school activity buses.

Rule 604. (1) Multifunction school activity buses used for transporting children shall comply with all minimum safety specifications, except color, identification, and alternating flashing lights, as defined in 1990 PA 187, MCL 257.1810.

(2) All multifunction school activity buses shall be inspected annually by a licensed mechanic or by the department of state police if used to transport children to and from school. A copy of the inspection shall be on file in the center.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5605 Safety equipment in motor vehicles with a-manufacturer's rated seating capacity of 10 or fewer occupants.

Rule 605. (1) Each motor vehicle with a manufacturer's rated seating capacity of 10 or fewer occupants shall carry the following safety equipment:

- (a) Three bidirectional emergency reflective triangles properly cased and securely stored in the motor vehicle.
- (b) A first aid kit shall be securely stored in an accessible location in the driver compartment. The first aid kit shall contain, at a minimum, all of the following:
 - (i) Bandage compresses (sterile gauze pads).
 - (ii) Adhesive compresses.
 - (iii) A 40-inch triangular bandage.
 - (iv) A roll of gauze.
 - (v) An elastic bandage.
- (c) Antiseptics, burn ointments, and medication shall not be included in the first aid kit.
- (d) Volunteer motor vehicles are exempt from subdivision (a) of this subrule.

History: 1979 ACS 2, Eff. June 4, 1980; 1984 MR 7, Eff. July 24, 1984; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5606 Safety equipment in vehicles with a-manufacturer's rated seating capacity of more than 10 occupants.

Rule 606. (1) Each motor vehicle with a manufacturer's rated seating capacity of more than 10 occupants shall carry the following safety equipment:

- (a) Three bidirectional emergency reflective triangles properly cased and securely stored in the driver's compartment.
- (b) Not less than 3 15-minute fusees or an approved battery operated substitute properly cased and securely stored in the driver's compartment.
- (c) Fire extinguisher of dry chemical type, approved by underwriters' laboratories, inc., rated not less than 2A-10BC, mounted in an accessible place in the driver compartment. The fire extinguisher shall be kept properly filled and in satisfactory operating condition at all times.
- (d) A first aid kit shall be securely stored in an accessible location in the driver compartment. The first aid kit shall contain, at a minimum, all of the following:
 - (i) Bandage compresses (sterile gauze pads).
 - (ii) Adhesive compresses.
 - (iii) A 40-inch triangular bandage.
 - (iv) A roll of gauze.
 - (v) An elastic bandage.
- (e) Antiseptics, burn ointments, and medication shall not be included in the first aid kit.

History: 1979 ACS 2, Eff. June 4, 1980; 1984 MR 7, Eff. July 24, 1984; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

Annual Administrative Code Supplement
2006 Edition

R 400.5607 Manufacturer's rated seating capacity; restraint devices; safety belts.

Rule 607. (1) Each child transported shall remain seated and properly restrained by a passenger restraint device as defined by 1949 PA 300, MCL 257.710d(1), MCL 257.710e(3), (4), and the manufacturer's rated seating capacity while the motor vehicle is in motion.

(2) Each restraint device shall be properly anchored to the vehicle seat and used according to the manufacturer's specifications. Allowing 2 or more children to share a seat belt or restraint device is prohibited.

(3) The driver of a motor vehicle and all adult passengers shall be seated according to the manufacturer's rated seating capacity and properly restrained by safety belts when the motor vehicle is in motion.

(4) All safety belts and restraint devices used while transporting children and adults shall be in good working condition.

History: 1979 ACS 2, Eff. June 4, 1980; 1984 MR 7, Eff. July 24, 1984; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5608

Source: 1997 AACCS.

R 400.5610 Motor vehicle operator.

Rule 610. (1) The driver of any motor vehicle transporting children shall comply with all of the following:

(a) Be at least 18 years of age.

(b) Possess a valid operator or chauffeur's license with the appropriate endorsement as required by 1949 PA 300, MCL 257.301.

(c) Have a personal driving record with not more than 6 active points as determined by the secretary of state.

(d) Have proof of valid automobile insurance and registration.

(e) Be familiar with the contents of the first aid kit.

(f) Be familiar with the operation of the fire extinguisher, if a fire extinguisher is required.

(2) The following documents shall be on file in the center:

(a) A copy of each driver's driving record, except for drivers of volunteer motor vehicles, obtained from the secretary of state at least once a year.

(b) A self-certifying statement that all volunteer drivers comply with subrule (1) of this rule.

(c) A copy of a valid operator license.

(3) Drivers shall be provided with a copy of the child information card or comparable facsimile for each child being transported in their motor vehicles.

History: 1979 ACS 2, Eff. June 4, 1980; 1984 MR 7, Eff. July 24, 1984; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5611 Caregiver-to-child ratio and supervision.

Rule 611. (1) The ratio of caregivers to children at all times, who are in transit, shall be based on the following provisions:

(a) For infants and young toddlers, there shall be 1 caregiver for 4 children or each fraction of 4, excluding the driver.

(b) For older toddlers, there shall be 1 caregiver, excluding the driver, for 8 children or each fraction of 8.

(c) For children 3 years of age, there shall be 1 caregiver, including the driver, for 10 children or each fraction of 10.

(d) For children 4 years of age, there shall be 1 caregiver, including the driver, for 12 children or each fraction of 12.

(e) For school-age children, there shall be 1 caregiver, including the driver, for 18 children or each fraction of 18. This requirement does not apply when school-age children are transported to and from school on public school transportation or are using public transportation.

(f) An additional adult is not required if only 1 child under 36 months of age is transported.

(g) Children who are related to the caregiver or licensee shall be counted in these ratios.

(2) Additional staff members or volunteers shall be all of the following:

(a) At least 16 years of age.

(b) Seated with the children.

(c) Responsible for the supervision of the children.

(3) When children are entering or leaving the motor vehicle, the following safety precautions shall be taken:

(a) The accompanying staff member, volunteer, or driver shall assure that the children are received by a staff person, parent, or other person as designated by the parent.

(b) Children shall enter and leave the motor vehicle from the curbside unless the vehicle is in a protected parking area or driveway.

(c) Children shall not be left unattended in a motor vehicle.

Annual Administrative Code Supplement
2006 Edition

(4) When children under school-age are entering or leaving the motor vehicle, the children shall be carried or helped into and out of the motor vehicle.

History: 1979 ACS 2, Eff. June 4, 1980; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5612 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5613 Time limitation on child transit.

Rule 613. For children under school-age, transportation routes shall be planned so that a child is not in the motor vehicle longer than 1 continuous hour.

History: 1979 ACS 2, Eff. June 4, 1980; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5614 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5615 Parent permission for routine transportation.

Rule 615. Parent's written permission shall be obtained annually for routine transportation including, but limited to, transportation between the child's home, center, and school.

History: 2006 MR 11, Eff. Dec. 7, 2006.

PART 7. FIELD TRIP TRANSPORTATION PROVISIONS

R 400.5701 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5702 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5703 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5704 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5705 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5706 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; 1984 MR 7, Eff. July 24, 1984; 2000 MR 4, Eff. Jul 1, 2000; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5709 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5710 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5711 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5712 Rescinded.

History: 1979 ACS 2, Eff. June 4, 1980; rescinded 2006 MR 11, Eff. Dec. 7, 2006.

PART 8. FIRE SAFETY PROVISIONS

R 400.5801 Definitions.

Rule 801. As used in this part:

Annual Administrative Code Supplement
2006 Edition

- (a) "Basement" means a story of a building or structure having $\frac{1}{2}$ or more of its clear height below average grade for at least 50% of the perimeter.
- (b) "Combustible" means materials will ignite and burn when subjected to a fire or excessive heat.
- (c) "Conversion" means to alter the use of an existing building or room to a center.
- (d) "Existing building" means a structure or part of a structure not currently used as a child care center.
- (e) "Existing licensed center" means a center that was licensed before the effective date of these rules and whose license continues uninterrupted.
- (f) "Exit" means a way of departure from the interior of a building or structure to the open air outside at ground level.
- (g) "Fire alarm" means a device used to alert the occupants of the building of fire or smoke conditions. The device shall be audible in all parts of the building used as a center.
- (h) "Fire alarm system" means an approved electrical closed circuit, self-supervised local system for sounding an alarm. The system is comprised of a central panel, manual pull stations near all outside exits, audible electric signal devices, and where warranted, a remote trouble annunciator. All system components shall be listed by a nationally recognized testing laboratory.
- (i) "Fire door assembly" means a side-hinged, labeled fire door and labeled frame constructed and installed in compliance with national standards fire protection association pamphlet No. 80, 2003, "Standard for Fire Doors and Windows," with a latching device and closing device labeled or listed in compliance with the listing and re-examination service of an approved, nationally recognized testing laboratory. The national fire protection association pamphlet No. 80 is hereby adopted by reference. Copies of the adopted matter may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy Massachusetts 02269-9101, at a cost of \$23.50, or from the department of labor and economic growth, P.O. Box 30004, Lansing, Michigan 48909.
- (j) "Fire-resistance rating" means the time for an element in a building to maintain its particular fire resistance properties in accordance with the national fire protection association pamphlet no. 251, 1999, Standards of Tests of Fire Endurance of Building Construction and Materials. The national fire protection association pamphlet No. 251 is hereby adopted by reference. Copies of the adopted matter may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101, at a cost of \$23.25 or from the department of labor and economic growth, P.O. Box 30004, Lansing, Michigan 48909.
- (k) "Fire-resistive construction" means a building having walls, ceilings, floors, partitions, and roof of combustible materials having a minimum fire-resistance rating of 1 hour. This subdivision shall not be construed as prohibiting finished wood floors, doors, and windows with assorted frames and trim.
- (l) "Flameproof materials" means materials that will not propagate flame under the test conditions of the national fire protection association pamphlet no. 701, 1999, "Standard Methods Of Fire Tests For Flame Propagation Of Textiles And Films." Flameproof materials are usually combustible materials with the addition of some treatment or coating to modify their burning properties. The national fire protection association pamphlet no. 701, is hereby adopted by reference. Copies of the adopted matter may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101, at a cost of \$19.50 or from the department of labor and economic growth, P.O. Box 30004, Lansing, Michigan 48909.
- (m) "Flammable" means materials capable of being readily ignitable from common sources of heat or at a temperature of 600 degrees Fahrenheit, 316 degrees Celsius, or less.
- (n) "Hazard area" means those parts of a center building housing a commercial kitchen, heating plant, fire-fueled water heater, incinerator, or an area posing a higher degree of hazard than the general occupancy of the building.
- (o) "Heating plant room" means a room or area housing fuel fired equipment.
- (p) "Interior finish" means the exposed interior surface materials of walls, fixed or movable partitions, and ceilings. This includes drywall, masonry, or wood substructure and surfacing materials such as paneling, tile, or other interior finish material and any surfacing materials, such as paint or wallpaper, applied thereto. Interior finish includes materials affixed to the building structure as distinguished from decorations or furnishings.
- (q) "Means of egress" means a continuous and unobstructed way of exit travel from any point in a building to the outside at grade.
- (r) "New construction" means a created structure, addition, replacement, or alteration of structural components, such as walls.
- (s) "Noncombustible" means materials that will not ignite and burn when subjected to fire.
- (t) "Protected ordinary construction" means all of the following types of construction:
 - (i) Roofs and floors and their supports have minimum hourly fire-resistance ratings.
 - (ii) Exterior bearing walls or bearing portions of exterior walls are of noncombustible or limited combustible materials and have minimum hourly fire-resistance ratings and stability under fire conditions.
 - (iii) Nonbearing exterior walls are of noncombustible or limited combustible materials.
 - (iv) Roofs, floors, and interior framing are wholly or partly made of wood of smaller dimension than required for heavy

Annual Administrative Code Supplement
2006 Edition

timber construction.

(u) "Standard partition construction" means a substantial smoke-tight assembly consisting of walls, in conjunction with ceilings at which they terminate, that are covered on both sides with minimum standard lath and plaster or ½ inch drywall over 2" x 4" studs. Doorways in these walls are protected with minimum 1 ¾ inch solid core wood doors, or their equivalent, and equipped with approved self-closing devices and have positive latching hardware. One or more glass panes are permitted in these walls and/or doors if each individual glass panel is fixed pane and not larger than 1,296 square inches of ¼ inch wired glass with no linear dimension longer than 54 inches. In some cases, drywall or plaster is also necessary to protect the underside of stairs.

(v) "Textile material" means having a napped, tufted, looped, woven, non-woven or similar surface.

(w) "Wired glass" means glass not less than 1/4-inch thick, reinforced with wire mesh, number 24 gauge or heavier, with spacing not greater than 1 square inch.

(x) "Wood frame construction" means that type of construction in which exterior walls, bearing walls and partitions, and floor and roof constructions and their supports are made of wood or other combustible material.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5805 Plans and specifications; submission; approval; inspections.

Rule 805. (1) The center shall submit to the department a complete set of plans and specifications of any proposed center or proposed addition, alteration, or remodeling to an existing center.

(2) The center shall obtain written approval from the department before initiating any construction.

(3) Plans shall bear the seal of a registered architect or engineer when the total cost of the project is \$15,000 or more, including labor and materials.

(4) A fire safety inspection shall be conducted by the department of labor and economic growth, bureau of construction codes and fire safety and an approval granted before issuance of the original provisional license and every 4 years thereafter, at the time of renewal.

(5) If a boiler is used, then it shall be inspected and a certificate provided, as required, by the boiler division, department of labor and economic growth.

(6) New furnace and fuel-fired water heater installations shall be inspected and approved by the department of labor and economic growth inspectors or local mechanical inspecting authorities.

(a) Fuel-fired furnaces shall be inspected every 2 years at renewal by a licensed heating contractor.

(b) Fuel-fired water heaters shall be inspected every 2 years at renewal by either a licensed heating contractor or a licensed plumbing contractor.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5810 Construction.

Rule 810. (1) If child occupancy is limited to the first or main floor, then the building may be of wood frame construction.

(2) If child occupancy is on the second floor, then all of the following are required:

(a) The building shall be of protected ordinary construction.

(b) All required stairways and vertical openings shall be enclosed by walls, in conjunction with openings therein, and ceilings at which they terminate that meet the requirements of standard partition construction.

(c) All door openings contained in subdivision (b) of this subrule shall meet all of the following requirements:

(i) Be protected with 1 3/4-inch solid core wood doors or their equivalent.

(ii) Be installed in fully stopped smoke-tight, substantial frames.

(iii) Be equipped with approved self-closing devices and non-locking-against-egress positive latching hardware.

(3) If child occupancy is above the second floor, then both of the following shall be required:

(a) The building shall be of 1-hour fire-resistive construction.

(b) All required stairways and other vertical openings shall be enclosed by a minimum 1-hour fire-resistive construction to provide a protected means of egress to the outside at grade.

(4) A center licensed before June 4, 1980, with child occupancy on the second floor or above, shall be permitted to remain licensed under both of the following conditions:

(a) There has been no increase in capacity.

(b) There has been continued compliance with all other applicable fire safety rules, including the requirements of subrule (2) of this rule relating to the protection of stairways, vertical openings, and means of egress.

(5) If any portion of a basement is used for child occupancy, then 1 of the following provisions shall be required:

(a) Two enclosed stairways of 1-hour fire-resistant construction shall terminate directly to the outside at grade, and all openings in the stairways shall be protected by "B" labeled fire doors and frame assemblies.

(b) One approved exit from the occupied room or use area shall discharge directly to the outside at grade. Travel distance

Annual Administrative Code Supplement
2006 Edition

from any point in this room or area to this exit shall be less than 50 feet.

(6) If basement occupancy is limited to not more than 30 children, then the following shall apply:

(a) One of the exits required by subrule (5) of this rule shall discharge directly to the outside at grade or through a 1-hour fire-resistive enclosure.

(b) The second exit may terminate at the first floor level with an approved floor separation, meeting the requirements of standard partition construction, between basement and first floor.

(c) For new construction and conversions, the separation shall be located at the first floor with travel distance from the door to an approved exit not exceeding 100 feet.

(7) All vertical openings and stairways that are not required shall be constructed and arranged with effective fire and smoke separation under the requirements of standard partition construction. All door openings shall be as follows:

(a) Protected with 1 ¾ inch solid core wood doors or their equivalent.

(b) Installed in fully stopped smoke-tight substantial frames.

(c) Equipped with approved self-closing devices and non-locking-against-egress positive latching hardware.

(8) Nighttime care shall be located on levels having exits directly to grade.

History: 1979 ACS 2, Eff. June 4, 1980; 1984 MR 7, Eff. July 24, 1984; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5815 Interior finishes.

Rule 815. (1) The classifications of interior finishes for flame spread and smoke development in table 1 shall be used as follows:

TABLE 1
FLAME SPREAD AND SMOKE DEVELOPMENT FOR INTERIOR FINISHES

Class	Flame Spread	Smoke Developed
A OR I	0-25	0-450
B OR II	26-75	0-450
C OR III	76-200	0-450

(2) Basic materials in a means of egress and basement use occupancies shall be class A or I or B or II.

(3) Basic materials in all other areas shall be class C or III.

(4) Interior finish material more hazardous than class C or III shall be prohibited in child use areas.

(5) If an approved automatic sprinkler system is installed, then class C interior wall and ceiling finish materials shall be permitted in any location where class B is required and class B interior wall and ceiling finish materials shall be permitted in any location where class A is required.

(6) In an existing licensed center or conversion, existing interior finishes which do not comply with the classifications in subrule (1) of this rule may have their surfaces protected with an approved fire-retardant coating to meet the classifications for interior finishes. The coatings shall be applied to interior finishes that are attached to, or furred out not more than 1 inch from a noncombustible backing and applied according to manufacturer's recommendations.

(7) Interior finish materials of classes B and C which are less than 1/4 inch in thickness, shall be applied directly against a noncombustible backing or shall be furred out not more than 1 inch unless the tests under which such material has been classed were made with the material suspended from the noncombustible backing.

(8) Centers licensed between June 4, 1980 and the effective date of these rules may retain previously approved fire retardant coated interior finishes.

(9) Textile materials having a class A or I rating and used as an interior finish shall be permitted as follows:

(a) On walls or ceilings of rooms or areas protected by an automatic sprinkler system approved by the department.

(b) On room partitions that are less than ¾ of the floor-to-ceiling height not to exceed 8 feet in height.

(c) To extend up to 4 feet above the finished floor on ceiling-height walls and ceiling-height partitions.

(d) Centers licensed before the effective date of these rules may retain previously approved installations of textile materials.

(e) Textile materials shall be permitted on walls and partitions where tested in accordance with and meeting the standards of NFPA 265, "Standard Methods Of Fire Tests For Evaluating Room Fire Growth Contribution Of Textile Coverings On Full Height Panels And Walls," 2002 edition, which is hereby adopted by reference. Copies of the adopted matter may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101, at a cost of \$32.00 or from the department of labor and economic growth, P.O. Box 30004, Lansing, Michigan 48909.

(10) Drapery material may be used for stage curtains, room dividers, and similar uses if the material has been tested and approved in accordance with the national fire protection association pamphlet No. 701, "Standard Methods of Fire Tests for Flame Propagation of Textiles and Films," 1999 edition, which is hereby adopted by reference. Copies of the adopted matter

Annual Administrative Code Supplement
2006 Edition

may be obtained from the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101, at a cost of \$27.00 or from the department of labor and economic growth, P.O. Box 30004, Lansing, Michigan 48909.

(11) Drapery material applied to surfaces of a facility as an interior finish shall meet the requirements of subrule (9) of this rule.

(12) All vinyl and wooden wall dividers shall meet the interior finish requirements of subrules (1), (2), and (3) of this rule, as applicable.

(13) Bulletin boards shall meet the interior finish requirements of subrules (2) and (3) of this rule.

History: 1979 ACS 2, Eff. June 4, 1980; 1984 MR 7, Eff. July 24, 1984; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5820 Exits.

Rule 820. (1) Except as referenced in R 400.5810(5) and (6)(c), each occupied floor shall have not less than 2 approved exits directly to the outside at grade, remote from each other, and occupied rooms within the center shall be located between means of egress, unless a first floor, self-contained, occupied room has an approved exit direct to the outside at grade with a maximum travel distance of 50 feet from the most remote point in the room to the exit.

(2) Travel distance to an exit shall be as follows:

(a) For infants and young toddlers, travel shall be 50 feet or less from the door of the occupied room to the exit.

(b) For older toddlers to school-age, travel shall be 100 feet or less from the door of the occupied room to the exit.

(c) Buildings having complete automatic sprinkler protection may increase their travel distances by 50 feet.

(d) Those areas approved before the effective date of these rules are exempt from the requirements of this rule.

(3) For all centers initially licensed after the effective date of these rules, programs for infants and young toddlers shall be located on levels having exits directly to grade, or exits properly ramped to grade.

(4) Exit doors and all doors in the means of egress shall be side-hinged and equipped with knob, or lever-type, non-locking-against-egress or panic-type hardware.

(5) In rooms occupied by 21 or more children, doors shall swing in the direction of egress.

(6) Means of egress shall be maintained in an unobstructed, easily traveled condition at all times that the center is in operation. Means of egress shall not be exposed to inherent hazards of the building, including heating plant, flammable storage, commercial kitchen, or other similar conditions.

(7) In new construction, additions, and conversions, there shall be a floor or landing on each side of an exit door. The floor or landing shall be at the same elevation on each side of the door except for variations in elevation due to differences in finish materials, which may not exceed 1/2 inches. Landings shall have a width not less than the width of the stairway or the width of the door, whichever is greater. Landings shall have a length not less than the width of the door.

(8) For new construction and additions, an exit door shall be not less than 36 inches in width. Doors to multiple use bathrooms shall not be less than 30 inches wide.

(9) For the conversion of an existing building, exterior exit doors shall be not less than 36 inches wide. Other use room doors shall be not less than 28 inches wide. Single use toilet room doors shall not be less than 24 inches in width. Any remodeled door openings, other than door swing, shall comply with subrule (8) of these rules.

(10) Centers licensed before the effective date of these rules may retain previously approved door widths.

(11) Exterior exits shall be marked or denoted by an approved exit sign. All exit signs shall be distinctive in color and shall provide contrast with decorations, interior finish, or other signs. Each exit sign shall have the word "exit" in plain, legible letters not less than 6 inches high on a background of contrasting color with strokes not less than 3/4-inch wide.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5825 Hazard Areas.

Rule 825. (1) In an existing licensed center, hazard areas shall be separated from the parts of the building used as a center in the following manner:

(a) In centers licensed before June 4, 1980, areas used for the storage of combustibles and other hazard areas will continue to be approved if they are enclosed with a minimum 3/4-hour fire resistive construction and doorways to the areas are protected with a minimum 1 3/4 inch, solid core wood door or doors equipped with approved self-closing devices and positive latching hardware.

(b) In centers licensed between June 4, 1980 and July 1, 2000, the following shall apply:

(i) Where the area used for the storage of combustibles exceeds 100 square feet, by construction having a minimum 1-hour fire resistance rating, openings in the separation shall be protected with a "B" labeled fire door and frame assembly, including an approved self-closing device and positive latching hardware.

(ii) Where the area used for the storage of combustibles does not exceed 100 square feet, by construction having a minimum 3/4 hour fire resistance rating, all door openings shall be protected by minimum 1 3/4 inch solid core wood doors or equivalent

Annual Administrative Code Supplement
2006 Edition

hung in substantial frames and equipped with approved self-closing devices and positive latching hardware.

(c) In centers licensed after July 1, 2000, including centers licensed after the effective date of these rules, the following shall apply:

(i) Where the area used for the storage of combustibles exceeds 100 square feet, by construction having a minimum 1-hour fire resistance rating, openings in the separation shall be protected with a "B" labeled fire door and frame assembly, including an approved self-closing device and positive latching hardware.

(ii) Where the area used for the storage of combustibles does not exceed 100 square feet, by construction having a minimum 1-hour fire resistance rating. All door openings shall be protected by minimum 1¾ inch solid core wood doors or equivalent hung in substantial frames and equipped with approved self-closing devices and positive latching hardware.

(2) Where a kitchen with commercial cooking equipment exposes a required means of egress or use area, it shall be separated from the remainder of the building with minimum 1-hour fire resistive construction including "B" labeled fire door and frame assemblies in all common openings. Kitchens having commercial cooking equipment protected by an approved automatic kitchen hood suppression system are exempt from this requirement.

(3) An incinerator shall be separated from the remainder of the center by construction having a 1-hour fire-resistance rating. Openings between the incinerator room and the remainder of the building shall be protected with a "B" labeled fire door and frame assembly. In new construction, the incinerator room shall have not less than 1 outside wall containing a window or door opening directly to the outside.

(4) Heating shall be by a central heating plant, or an approved permanently installed electrical heating system. If heating is provided by a central heating plant and located on the same floor that is used for child occupancy, it shall be installed in an enclosure providing not less than a 1-hour fire-resistive separation, including a "B" labeled fire door and frame assembly equipped with an approved self-closing device and positive latching hardware in any interior door opening. Door openings for heat plant enclosures not located on the same floor that is used for child occupancy may have 1¾ inch solid wood core doors having positive latching hardware and an approved self-closing device or equivalent. Air for proper combustion shall be provided directly from the outside through a permanently opened louver or noncombustible duct. The storage of combustible materials in a heating plant room is prohibited.

(5) In an existing licensed center, a properly installed heating plant located in a basement which is not used for child occupancy does not require additional protection where there is a qualified fire separation and with at least a 1¾ inch solid core wood door or equivalent hung in a substantial frame and equipped with an approved self-closing device and positive latching hardware in all stairway openings.

(6) Any fuel fired water heater or other similar equipment shall be located according to subrules (4) or (5) of this rule, as applicable.

(7) Where electric heating is used, it shall be underwriters' laboratories, inc. labeled or listed permanent, fixed-type electrical heating such as recognized panel or baseboard fixed-type. Electric heating which complies with this requirement may be installed in any location.

(8) An auxiliary heating unit, such as a portable combustion or electrical type, shall not be used without approval of the department

(9) The center shall not store flammable materials, including fuels, pressurized cans, cleaning fluids and supplies, polishes, and matches, in heat plant enclosures. These items may be stored outside of child use areas in metal cabinets or storage facilities accessible only to authorized personnel.

(10) The center shall not store combustible materials within the central heating plant or fuel fired water heater rooms or in basements containing fuel-fired heating equipment, without a proper fire separation.

(11) The center shall not permit gasoline-powered equipment in the part of a building which is used as a center or in other parts of the building from which there is a door, window, or other opening into the center, unless that part of the building is separated from the remainder of the building by minimum 2-hour fire resistive construction.

(12) If commercial-type laundry equipment is installed, then the equipment shall be enclosed to provide a 1-hour resistance to fire, including a "B" labeled fire door and frame assembly in an interior door opening which would expose the center.

(13) Fire dampers shall not be required in ¾-hour and 1-hour fire-resistive enclosures.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5835 Multiple occupancy.

Rule 835. (1) Multiple occupancy of a building may qualify for licensure if the entire building does not present a life safety hazard. A center currently licensed in such a building may continue as long as such occupancies do not change in character.

(2) A building, part of which is used for hazardous operations or for occupancy that is unpredictable, such as taverns, garages, repair shops, and industrial operations, shall not be permitted for center use. However, an exception may be made for a vocational education center approved by the department of labor and economic growth.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

Annual Administrative Code Supplement
2006 Edition

R 400.5840 Fire alarm.

Rule 840. (1) In any building used as a center, if more than 1 room is occupied by children, then an approved fire alarm shall be established. This system may be either electrical or manual.

(2) In centers of more than 4 child-occupied rooms, excluding bathrooms, or in centers licensed for more than 60 children, an approved fire alarm system shall be installed.

(3) In new construction, conversions, remodeling, or new licensed centers, the trouble signal for required fire alarm systems shall be located in an area normally occupied by staff.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5841 Smoke detectors; carbon monoxide detectors.

Rule 841. (1) Newly constructed centers, additions, and conversions shall be equipped with approved single station smoke detectors covering all use areas and their means of egress.

(2) A carbon monoxide detector, bearing a safety certification mark of a recognized testing laboratory such as UL (Underwriters Laboratories) or ETL (Electrotechnical Laboratory), shall be placed on all levels approved for child care.

(3) Centers shall properly install and maintain all detectors in operable condition in accordance with manufacturer's recommendations.

History: 2000 MR 4, Eff. Jul. 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5845 Fire extinguishers.

Rule 845. (1) The center shall install multipurpose fire extinguishers, having ratings of not less than 2A-10BC in or adjacent to the kitchen or cooking area and in or adjacent to the door of, the heating plant room.

(2) The requirement of having additional multipurpose fire extinguishers with ratings of not less than 2A-10BC shall be determined by the fire inspecting authority and shall be based on the capacity of the center and on other conditions in the facility.

(3) Fire extinguishers shall be properly mounted, inspected, and maintained in accordance with pamphlet no. 10 entitled "Standard for Portable Fire Extinguishers," 2002, which may be obtained at the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269 at a cost of \$33.50 or from the department of labor and economic growth, P.O. Box 30004, Lansing, Michigan 48909. The fire extinguisher shall bear a tag indicating the last date of inspection or service and the initials of the person who performed the inspection or service.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul. 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5850 Electrical service.

Rule 850. (1) The electrical service shall be maintained in a safe condition.

(2) For new construction and additions, electrical systems and service shall be inspected and approved by the electrical inspecting authority having jurisdiction. A copy of the certificate of approval shall be maintained at the center at all times.

(3) When warranted, conversions of existing buildings and existing rooms to child care use, as well as existing licensed centers, may require an electrical inspection.

(4) Extension cords listed by a nationally recognized laboratory, and used in accordance with all manufacturer's recommendations, may be used on a temporary basis, and for short periods of time.

(5) All electrical outlets in child use areas for children who are not yet school-age shall be made inaccessible to children.

(6) All electrical outlets in approved child care space located within 6 feet of a sink or other water source shall be protected by a ground-fault circuit interrupter (GFCI).

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul. 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5856 Open flame devices; candles.

Rule 856. All open-flame devices and candles shall be prohibited, except for religious celebrations.

History: 2000 MR 4, Eff. Jul. 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5865 Occurrence of fire; report.

Rule 865. If a fire occurs in a center that requires the use of fire suppression equipment or results in loss of life or property, it is the responsibility of the center to notify the local fire authority and the department of all details of the fire. This notification shall occur immediately after the occurrence of the fire.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul. 2000; 2006 MR 11, Eff. Dec. 7, 2006.

400.5870 Fire safety; exemptions for public and nonpublic school buildings

Annual Administrative Code Supplement
2006 Edition

Rule 870. The rules with respect to fire prevention and fire safety shall not apply to a child care center established and operated by an intermediate school board, the board of a local school district, the board or governing body of a state-approved nonpublic school, or by a person or entity with whom a school contracts for services, if the child care center is located in a school building that is approved by the state fire marshal or other similar authority.

History: 2000 MR 4, Eff. Jul. 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

PART 9. SANITATION PROVISIONS

R 400.5900a Definitions.

Rule 900a. As used in this part:

- (a) "Corrosion-resistant materials" means those materials that maintain their original surface characteristics under prolonged influence of the food to be contacted, the normal use of cleaning compounds and bacterial solutions, and other conditions-of-use environment.
 - (b) "Easily cleanable" means that surfaces are readily accessible and made of such materials and finish and so fabricated that residue may be effectively removed by normal cleaning methods.
 - (c) "Food service equipment" means stoves, ovens, ranges, hoods, slicers, mixers, meat blocks, tables, counters, refrigerators, sinks, dishwashing machines, steam tables, and similar items other than utensils, used in the operation of a child care center.
 - (d) "Food" means any raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use in whole or in part for human consumption.
 - (e) "Food-contact surface" means those surfaces of equipment and utensils with which food normally comes in contact, and those surfaces from which food may drain, drip, or splash back onto surfaces normally in contact with food.
 - (f) "Food processing establishment" means a commercial establishment in which food is manufactured or packaged for human consumption. The term does not include a food service establishment, retail food store, or commissary operation.
 - (g) "Hermetically sealed container" means a container designed and intended to be secure against the entry of microorganisms and to maintain the commercial sterility of its content after processing.
 - (h) "Packaged" means bottled, canned, cartoned, or securely wrapped.
 - (i) "Potentially hazardous food" means any food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacean, or other ingredients, including synthetic ingredients, in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms.
 - (j) "Sanitization" means effective bactericidal treatment by a process that provides enough accumulative heat or concentration of chemicals for enough time to reduce the bacterial count, including pathogens, to a safe level on utensils and equipment.
 - (k) "Sealed" means free of cracks or other openings that permit the entry or passage of moisture.
 - (l) "Single-service articles" means those food service articles intended for 1-time, 1-person use and then discarded.
 - (m) "Tableware" means multiuse eating and drinking utensils.
 - (n) "Utensil" means any implement used in the storage, preparation, transportation, or service of food.
- History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5901 Plan review; approval.

Rule 901. The center shall comply with all local health authority requirements regarding plans and specifications and submit written confirmation to the department that this has occurred.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5902 Food preparation areas.

Rule 902 (1) Food contact surfaces are to be smooth, nontoxic, easily cleanable, durable, corrosion resistant, and nonabsorbent.

(2) Carpeting is prohibited.

(3) Mechanical ventilation to the outside is required for all commercial cooking equipment, which includes but is not limited to stoves, ranges, ovens, griddles, and fryers.

(4) If residential hood ventilation is used, then cooking equipment shall be limited to a stove/oven combination.

(5) Mechanical ventilation to the outside may be required if a problem is evidenced.

(6) The use of deep fryers is prohibited.

(7) Live animals shall be prohibited from food preparation and eating areas.

History: 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5902a Food and equipment storage.

Annual Administrative Code Supplement
2006 Edition

Rule 902a. (1) Each refrigerator shall have an accurate working thermometer indicating a temperature 41° Fahrenheit or below.

(2) All artificial lighting fixtures located over, by, or within food storage, preparation, service areas, or where utensils and equipment are cleaned and stored, shall be properly shielded.

(3) Unpackaged bulk foods shall be stored in clean covered containers, dated, and labeled as to the contents.

(4) Food not subject to further washing or cooking before serving shall be stored in a way that protects it from cross-contamination from food requiring washing or cooking.

(5) Packaged food shall not be stored in contact with water or undrained ice.

(6) Poisonous or toxic materials shall not be stored with food, food service equipment, utensils, or single-service articles.

(7) Food, food service equipment, and utensils shall not be located under exposed or unprotected sewer lines, open stairwells, or other sources of contamination. Automatic fire protection sprinkler heads are the exception.

(8) The storage of food, food service equipment, or utensils in toilet rooms is prohibited.

(9) Food and utensils shall be stored a minimum of 6 inches above the floor.

(10) All food service equipment shall be 6 inches off the floor, moveable, or be properly sealed to the floor.

(11) Meals that are transported shall be prepared in commercial kitchens and delivered in carriers approved by the environmental health authority.

History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5902b Food supplies.

Rule 902b. (1) Food shall be in sound condition, free from spoilage, filth, or other contamination and be safe for human consumption.

(2) Home canned products are prohibited.

(3) All fluid milk and fluid milk products shall be pasteurized and meet the grade "A" quality standards.

History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5902c Food preparation.

Rule 902c. (1) The hands of children and staff shall be thoroughly washed before handling food and before eating.

(2) Guidelines for hand washing shall be posted in food preparation areas and toilet rooms.

(3) Food shall be prepared with the least possible manual contact, using suitable utensils, and surfaces that have been washed, rinsed, and sanitized. Serving utensils shall be used by staff or provided to children who serve themselves.

(4) Raw fruits and vegetables shall be thoroughly washed before being cooked or served.

(5) Food shall be cooked to heat all parts of the food to the safe temperature as identified in the 1999 recommendations of the food and drug administration of the United States public health service 3-401, as referenced in the Michigan food code, 2000 PA 92, MCL 289.1107. These recommendations are available on the web at no cost at <http://www.fda.gov>, and are available for inspection at the Michigan department of human services, P.O. Box 30650, Lansing, Michigan 48909.

(6) Potentially hazardous foods shall be thawed using 1 of the following methods:

(a) In the refrigerator at a temperature not to exceed 41 degrees Fahrenheit.

(b) Under cold running water.

(c) In a microwave oven for either of the following:

(i) The food will be immediately transferred to conventional cooking facilities as part of a continuous cooking process.

(ii) The entire cooking process takes place in the microwave oven.

(d) As part of the conventional cooking process.

(7) The temperature of potentially hazardous foods shall be 41 degrees Fahrenheit or below or 140 degrees Fahrenheit or above at all times, except during necessary periods of preparation.

(8) Potentially hazardous foods that have been cooked and then refrigerated shall be reheated rapidly to 165 degrees Fahrenheit or higher throughout before being served or before being placed in a hot food storage facility.

(9) Accurate metal stem-type food thermometers shall be used to assure the attainment and maintenance of proper internal cooking, holding, reheating, or refrigeration temperatures of all potentially hazardous foods.

(10) Food, already served and handled by the consumer of the food, may not be served again, unless food is in a wrapper such as single service crackers.

(11) Milk shall be served from any of the following:

(a) A commercially filled container stored in a mechanically refrigerated bulk milk dispenser.

(b) A commercially filled container not to exceed 1 gallon.

(c) A sanitized container only if poured directly from the original container.

(12) All of the following shall apply to milk:

(a) Containers shall be labeled with the date and time opened.

Annual Administrative Code Supplement
2006 Edition

- (b) Milk shall be served within 7 days of opening.
 - (c) Milk shall not be served if the contents appear to be unsanitary, or have been unrefrigerated for a period exceeding 1 hour.
 - (d) Milk shall not be combined with the contents of other partially filled containers.
 - (13) Contents remaining in single-service containers of milk shall be discarded at the end of the snack or meal time.
 - (14) On field trips, all foods shall be protected from contamination at all times.
 - (a) The temperature of potentially hazardous foods shall be maintained at 41 degrees Fahrenheit or below, except during necessary periods of preparation and service.
 - (b) Potentially hazardous foods needing to be cooked shall be cooked to proper temperatures before being served.
 - (c) Food service equipment shall be maintained in a clean and sanitary manner at all times.
 - (d) In the absence of proper hand washing facilities, people preparing and serving food shall wear sanitary disposable food service gloves.
- History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5902d Sanitization.

- Rule 902d. (1) All tableware, utensils, food contact surfaces, and food service equipment shall be thoroughly washed, rinsed, and sanitized after each use.
- (2) Enamelware utensils are prohibited.
 - (3) Reuse of single service articles is prohibited.
 - (4) Centers using multiuse tableware and utensils shall use one of the following methods:
 - (a) A commercial dishwasher.
 - (b) A domestic dishwasher with sanitizing capability.
 - (c) A 3-compartment sink and adequate drain boards.
 - (d) A 2-compartment sink for washing and rinsing with a third container suitable for complete submersion for sanitizing, and adequate drain boards.
 - (5) Centers using the manual washing method shall do all of the following:
 - (a) Rinse and scrape all utensils and tableware before washing.
 - (b) Thoroughly wash in detergent and water.
 - (c) Rinse in clear water.
 - (d) Sanitize using 1 of the following methods:
 - (i) Immersion for at least 30 seconds in clean, hot water of at least 170 degrees Fahrenheit.
 - (ii) Immersion for at least 1 minute in a solution containing between 50 and 100 parts per million of chlorine or comparable sanitizing agent at a temperature of at least 75 degrees Fahrenheit. A test kit or other device which measures parts per million concentration of the solution shall be used when a chemical is used for sanitizing.
 - (e) Air dry.
 - (6) Moist cloths, used for wiping counter and tabletops, shall be clean, rinsed frequently in an approved sanitizing solution, stored in the sanitizing solution between uses, and not used for other purposes.
 - (7) Sponges shall not be used in a food service operation.
- History: 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5905 Premises.

- Rule 905. (1) The center shall be located on land that provides good natural drainage or that is properly drained.
- (2) Stairs, walkways, ramps, landings, and porches shall meet the following requirements:
 - (a) If elevated, shall have barriers to prevent falls and handrails designed and constructed for use by children.
 - (b) Shall be maintained in a safe condition relative to the accumulation of water, ice, or snow, and shall have nonslip surfacing.
 - (c) Landings shall be located outside exit doors where steps or stairs are necessary and shall be at least as wide as the swing of the door. d) Stairway steps shall be not more than 8 inches in height, with a minimum tread depth of 9 inches.
 - (e) If ramps are used, then they shall have a minimum rise-to-run ratio of 1 to 12.
- History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5910 Heating; temperature.

- Rule 910. (1) The temperature in child use areas shall be maintained at a safe and comfortable level so that children do not become overheated, chilled, or cold.
- (2) The indoor temperature shall be at least 65 degrees Fahrenheit in child use areas at a point 2 feet above the floor.
 - (3) If temperatures exceed 82 degrees Fahrenheit, then measures shall be taken to cool the children.
- History: 1979 ACS 2, Eff. June 4, 1980; 1984 MR 7, Eff. July 24, 1984; 2006 MR 11, Eff. Dec. 7, 2006.

Annual Administrative Code Supplement
2006 Edition

R 400.5915 Light, ventilation, and screening.

Rule 915. (1) The total ventilation area in every habitable room, as provided by openable windows, shall be not less than 4½ percent of the floor area, unless central air conditioning is provided.

(2) If ventilation is dependent on a mechanical system, then the system shall be on at all times while the building is occupied and shall comply with the ventilation requirements of the applicable mechanical code of the authority having jurisdiction.

(3) Artificial light or natural light, or both, shall be capable of providing a minimum illumination of 20 foot candles over the entire room at a height of 3 feet from the floor.

(4) Windows used for ventilation shall be supplied with screening of not less than 16 mesh, which shall be kept in good repair. This subrule does not apply to child care programs operating in school buildings.

(5) Propping doors open for ventilation is prohibited.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5920 Water supply; plumbing.

Rule 920. (1) The water system shall comply with the requirements of the local health authority.

(2) Plumbing shall be designed, constructed, installed, and maintained to prevent cross-connection with the water system.

(3) Sinks, lavatories, drinking fountains, and other water outlets shall be supplied with safe water, sufficient in quantity and pressure, to meet conditions of peak demand.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5925 Toilets; handwashing sinks.

Rule 925. (1) The center shall have 1 toilet and 1 handwashing sink for every 15 children or fraction thereof. A center operating with children in attendance less than 5 continuous hours a day shall provide at least 1 toilet and 1 handwashing sink for every 20 children or fraction thereof beyond the first 20.

(2) After the effective date of these rules, any center that is new, relocates, adds an infant/toddler component, or increases the licensed infant/toddler capacity, shall have a diapering area with a designated handwashing sink.

(3) Handwashing sinks shall be accessible to children by platform or installed at children's level.

(4) Handwashing sinks shall have warm running water and be accessible to children. Both of the following apply:

(a) Water temperature shall not exceed 120 degrees Fahrenheit.

(b) Soap and single service towels or other approved hand drying devices shall be provided.

(5) Toilet rooms for school-age children shall provide for privacy.

(6) All newly constructed or remodeled facilities shall include separate hand washing sinks in the kitchen and diapering areas.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5930 Sewage disposal.

Rule 930. (1) Sewage and other water-carried wastes shall be disposed of through a municipal or private sewer system.

(2) Private sewer/septic systems shall be designed and operated to safely dispose of all wastewater generated, shall be adequate in size for the projected use and meet the criteria of the environmental health department.

History: 1979 ACS 2, Eff. June 4, 1980; 1984 MR 7, Eff. July 24, 1984; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5935 Garbage and refuse.

Rule 935. (1) The center shall store garbage in watertight containers with tight-fitting covers. If a dumpster is used, then garbage shall be placed in sealed plastic bags.

(2) The center shall provide a garbage can with a waterproof liner, or the garbage can shall be thoroughly cleaned after each emptying.

(3) The center shall have garbage and refuse removed at intervals of at least once a week.

History: 1979 ACS 2, Eff. June 4, 1980; 2000 MR 4, Eff. Jul 1, 2000; 2006 MR 11, Eff. Dec. 7, 2006.

R 400.5940 Maintenance of premises.

Rule 940. (1) The premises shall be maintained in a clean and safe condition.

(2) The premises shall be maintained so as to eliminate and prevent rodent and insect harborage.

(3) Roofs, exterior walls, doors, skylights, and windows shall be weathertight and watertight and shall be kept in sound condition and good repair.

(4) Floors, interior walls, and ceilings shall be sound, in good repair, and maintained in a clean condition.

(5) All plumbing fixtures and water and waste pipes shall be properly installed and maintained in good working condition.

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2006 Edition

Each water heater shall be equipped with a thermostatic temperature control and a pressure relief valve, both of which shall be in good working condition.

(6) All toilet room floor surfaces shall be constructed and maintained so as to be impervious to water and to permit the floor to be easily kept in a clean condition.

(7) Light fixtures, vent covers, wall-mounted fans and similar equipment attached to walls and ceilings shall be easily cleanable and maintained in good repair.

(8) Child care centers licensed after the effective date of these rules located in structures built before 1978 shall have a lead hazard risk assessment performed by a certified lead risk assessor. Any lead hazards identified shall be addressed as noted in the lead hazard risk assessment report. The results of the assessment shall be kept on file in the center.

(9) As required by 1994 PA 451, MCL 324.8316, the center shall develop and implement an integrated pest management program when pesticide applications occur in the building. The integrated pest management program shall include, but not be limited to, the following:

(a) An annual notification shall be provided by centers to parents or guardians informing them that they will receive advance notice of pesticide applications.

(b) The annual notification to parents or guardians shall specify 2 methods by which the advance notice of pesticide application will be given.

(c) An advance notice shall contain information about the pesticide, including the target pest or purpose, approximate location, date of the application, contact information at the center, and a toll-free number for a national pesticide information center recognized by the Michigan department of agriculture.

(d) Liquid spray or aerosol insecticide applications may not be performed in a room of a child care center unless the room will be unoccupied by children for not less than 4 hours or longer if required by the pesticide label use directions.

History: 1979 ACS 2, Eff. June 4, 1980; 2006 MR 11, Eff. Dec. 7, 2006.

DIVISION OF CHILD WELFARE LICENSING

CHILD PLACING AGENCIES

PART 1. GENERAL PROVISIONS

R 400.6101

Source: 1998-2000 AACS.

R 400.6102

Source: 1998-2000 AACS.

R 400.6108

Source: 1998-2000 AACS.

R 400.6110

Source: 1998-2000 AACS.

R 400.6112

Source: 1998-2000 AACS.

R 400.6114

Source: 1998-2000 AACS.

R 400.6117

Source: 1998-2000 AACS.

R 400.6119

Source: 1998-2000 AACS.

R 400.6122

Source: 1998-2000 AACS.

R 400.6123

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2006 Edition

Source: 1998-2000 AACS.

R 400.6124

Source: 1998-2000 AACS.

R 400.6126

Source: 1998-2000 AACS.

R 400.6128

Source: 1998-2000 AACS.

R 400.6129

Source: 1998-2000 AACS.

R 400.6131

Source: 1998-2000 AACS.

R 400.6132

Source: 1998-2000 AACS.

R 400.6133

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R 400.6135

Source: 1998-2000 AACS.

R 400.6136

Source: 1998-2000 AACS.

R 400.6137

Source: 1998-2000 AACS.

R 400.6139

Source: 1998-2000 AACS.

R 400.6142

Source: 1998-2000 AACS.

R 400.6143

Source: 1998-2000 AACS.

R 400.6145

Source: 1998-2000 AACS.

R 400.6148

Source: 1998-2000 AACS.

R 400.6151

Source: 1998-2000 AACS.

R 400.6152

Source: 1998-2000 AACS.

PART 2. FOSTER HOME CARE

R 400.6201

Source: 1998-2000 AACS.

R 400.6202

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2006 Edition

Source: 1998-2000 AACCS.

R 400.6204

Source: 1998-2000 AACCS.

R 400.6207

Source: 1998-2000 AACCS.

R 400.6209

Source: 1998-2000 AACCS.

R 400.6211

Source: 1998-2000 AACCS.

R 400.6215

Source: 1998-2000 AACCS.

R 400.6216

Source: 1998-2000 AACCS.

R 400.6218

Source: 1998-2000 AACCS.

R 400.6219

Source: 1998-2000 AACCS.

R 400.6221

Source: 1998-2000 AACCS.

R 400.6222

Source: 1998-2000 AACCS.

R 400.6223

Source: 1998-2000 AACCS.

R 400.6225

Source: 1998-2000 AACCS.

R 400.6226

Source: 1998-2000 AACCS.

R 400.6227

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R 400.6228

Source: 1998-2000 AACCS.

R 400.6229

Source: 1998-2000 AACCS.

R 400.6230

Source: 1998-2000 AACCS.

R 400.6231

Source: 1998-2000 AACCS.

R 400.6232

Source: 1998-2000 AACCS.

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2006 Edition

R 400.6234
Source: 1998-2000 AACS.

R 400.6238
Source: 1998-2000 AACS.

R 400.6240
Source: 1998-2000 AACS.

R 400.6245
Source: 1998-2000 AACS.

R 400.6250
Source: 1998-2000 AACS.

R 400.6252
Source: 1998-2000 AACS.

R 400.6254
Source: 1998-2000 AACS.

R 400.6260
Source: 1998-2000 AACS.

R 400.6261
Source: 1998-2000 AACS.

R 400.6262
Source: 1998-2000 AACS.

R 400.6263
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R 400.6265
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R 400.6267
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R 400.6271
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R 400.6274
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R 400.6277
Source: 1998-2000 AACS.

R 400.6279
Source: 1998-2000 AACS.

R 400.6280
Source: 1998-2000 AACS.

R 400.6281
Source: 1998-2000 AACS.

R 400.6282

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2006 Edition

Source: 1998-2000 AACS.

PART 3. FOSTER HOME CERTIFICATION

R 400.6301

Source: 1998-2000 AACS.

R 400.6302

Source: 1998-2000 AACS.

R 400.6303

Source: 1998-2000 AACS.

R 400.6305

Source: 1998-2000 AACS.

R 400.6306

Source: 1998-2000 AACS.

R 400.6308

Source: 1998-2000 AACS.

R 400.6309

Source: 1998-2000 AACS.

R 400.6311

Source: 1998-2000 AACS.

R 400.6314

Source: 1998-2000 AACS.

R 400.6319

Source: 1998-2000 AACS.

R 400.6320

Source: 1998-2000 AACS.

R 400.6322

Source: 1998-2000 AACS.

R 400.6323

Source: 1998-2000 AACS.

R 400.6324

Source: 1998-2000 AACS.

PART 4. INDEPENDENT LIVING

R 400.6401

Source: 1998-2000 AACS.

R 400.6402

Source: 1998-2000 AACS.

R 400.6405

Source: 1998-2000 AACS.

R 400.6407

Source: 1998-2000 AACS.

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R 400.6411
Source: 1998-2000 AACS.

R 400.6416
Source: 1998-2000 AACS.

PART 5. ADOPTION

R 400.6501
Source: 1998-2000 AACS.

R 400.6502
Source: 1998-2000 AACS.

R 400.6505
Source: 1998-2000 AACS.

R 400.6508
Source: 1998-2000 AACS.

R 400.6509
Source: 1998-2000 AACS.

R 400.6511
Source: 1998-2000 AACS.

R 400.6513
Source: 1998-2000 AACS.

R 400.6515
Source: 1998-2000 AACS.

R 400.6518
Source: 1998-2000 AACS.

R 400.6520
Source: 1998-2000 AACS.

R 400.6522
Source: 1998-2000 AACS.

FAMILY SERVICES ADMINISTRATION
STATE EMERGENCY RELIEF PROGRAM

R 400.7001
Source: 1993 AACS.

R 400.7002
Source: 1993 AACS.

R 400.7003
Source: 1993 AACS.

R 400.7004
Source: 1993 AACS.

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R 400.7005
Source: 1993 AACS.

R 400.7006
Source: 1993 AACS.

R 400.7007
Source: 1993 AACS.

R 400.7008
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R 400.7009
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R 400.7010
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R 400.7011
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R 400.7012
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R 400.7013
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R 400.7014
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R 400.7015
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R 400.7016
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R 400.7017
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R 400.7018
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R 400.7019
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R 400.7020
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R 400.7021
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R 400.7022
Source: 1993 AACS.

R 400.7023
Source: 1993 AACS.

R 400.7024
Source: 1993 AACS.

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R 400.7025
Source: 1993 AACS.

R 400.7026
Source: 1993 AACS.

R 400.7027
Source: 1993 AACS.

R 400.7028
Source: 1993 AACS.

R 400.7029
Source: 1993 AACS.

R 400.7030
Source: 1993 AACS.

R 400.7031
Source: 1993 AACS.

R 400.7032
Source: 1993 AACS.

R 400.7033
Source: 1993 AACS.

R 400.7034
Source: 1993 AACS.

R 400.7049
Source: 1993 AACS.

MEDICAL SERVICES ADMINISTRATION

GENERAL ASSISTANCE MEDICAL PROGRAM AUTHORIZATION

R 400.7101
Source: 1997 AACS.

R 400.7102
Source: 1997 AACS.

R 400.7103
Source: 1997 AACS.

R 400.7104
Source: 1997 AACS.

R 400.7105
Source: 1997 AACS.

R 400.7106
Source: 1997 AACS.

R 400.7107
Source: 1997 AACS.

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R 400.7108
Source: 1997 AACS.

R 400.7109
Source: 1997 AACS.

**PROHIBITION OF DISCRIMINATION IN THE MEDICAL ASSISTANCE PROGRAM
AND THE GENERAL ASSISTANCE MEDICAL PROGRAM**

R 400.7171
Source: 1980 AACS.

R 400.7172
Source: 1980 AACS.

R 400.7173
Source: 1980 AACS.

**MONITORING AND CONTROLLING RECIPIENT USE OF
MEDICAL ASSISTANCE PROGRAM SERVICES**

R 400.7391
Source: 1981 AACS.

R 400.7392
Source: 1981 AACS.

R 400.7393
Source: 1981 AACS.

R 400.7394
Source: 1981 AACS.

R 400.7395
Source: 1981 AACS.

R 400.7396
Source: 1981 AACS.

R 400.7397
Source: 1981 AACS.

STERILIZATION AND HYSTERECTOMY CONSENT PROCEDURES

R 400.7701
Source: 1980 AACS.

R 400.7702
Source: 1980 AACS.

R 400.7703
Source: 1980 AACS.

R 400.7704
Source: 1980 AACS.

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R 400.7705
Source: 1980 AACS.

R 400.7706
Source: 1980 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIVISION OF CHILD WELFARE LICENSING

FOSTER FAMILY HOMES AND FOSTER FAMILY GROUP HOMES

PART 1. GENERAL PROVISIONS

R 400.9101
Source: 1998-2000 AACS.

R 400.9102
Source: 1998-2000 AACS.

R 400.9199
Source: 1998-2000 AACS.

PART 2. APPLICATION AND LICENSING

R 400.9201
Source: 1998-2000 AACS.

R 400.9202
Source: 1998-2000 AACS.

R 400.9203
Source: 1998-2000 AACS.

R 400.9204
Source: 1998-2000 AACS.

R 400.9205
Source: 1998-2000 AACS.

R 400.9206
Source: 1998-2000 AACS.

R 400.9207
Source: 1998-2000 AACS.

PART 3. THE FOSTER HOME

R 400.9301
Source: 1998-2000 AACS.

R 400.9302
Source: 1998-2000 AACS.

R 400.9303
Source: 1998-2000 AACS.

R 400.9304

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Source: 1998-2000 AACS.

R 400.9305

Source: 1998-2000 AACS.

R 400.9306

Source: 1998-2000 AACS.

R 400.9307

Source: 1998-2000 AACS.

R 400.9308

Source: 1998-2000 AACS.

R 400.9309

Source: 1998-2000 AACS.

PART 4. FOSTER CARE

R 400.9401

Source: 1998-2000 AACS.

R 400.9402

Source: 1998-2000 AACS.

R 400.9403

Source: 1998-2000 AACS.

R 400.9404

Source: 1998-2000 AACS.

R 400.9405

Source: 1998-2000 AACS.

R 400.9406

Source: 1998-2000 AACS.

R 400.9407

Source: 1998-2000 AACS.

R 400.9408

Source: 1998-2000 AACS.

R 400.9409

Source: 1998-2000 AACS.

R 400.9410

Source: 1998-2000 AACS.

Rule 400.9411

Source: 1998-2000 AACS.

R 400.9412

Source: 1998-2000 AACS.

R 400.9413

Source: 1998-2000 AACS.

R 400.9414

Annual Administrative Code Supplement
2006 Edition

Source: 1998-2000 AACS.

R 400.9415

Source: 1998-2000 AACS.

R 400.9416

Source: 1998-2000 AACS.

R 400.9417

Source: 1998-2000 AACS.

R 400.9418

Source: 1998-2000 AACS.

R 400.9419

Source: 1998-2000 AACS.

PART 5. REPORTING AND RECORDKEEPING

R 400.9501

Source: 1998-2000 AACS.

R 400.9502

Source: 1998-2000 AACS.

R 400.9503

Source: 1998-2000 AACS.

R 400.9504

Source: 1998-2000 AACS.

R 400.9505

Source: 1998-2000 AACS.

R 400.9506

Source: 1998-2000 AACS.

DIVISION OF CHILD WELFARE LICENSING
JUVENILE FACILITIES

R 400.10101

Source: 1992 AACS.

R 400.10103

Source: 1992 AACS.

R 400.10105

Source: 1992 AACS.

R 400.10106

Source: 1992 AACS.

R 400.10107

Source: 1992 AACS.

R 400.10109

Source: 1992 AACS.

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R 400.10111
Source: 1992 AACS.

R 400.10113
Source: 1992 AACS.

R 400.10115
Source: 1992 AACS.

R 400.10117
Source: 1992 AACS.

R 400.10119
Source: 1992 AACS.

R 400.10121
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R 400.10123
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R 400.10125
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R 400.10127
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R 400.10129
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R 400.10131
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R 400.10133
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R 400.10135
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R 400.10137
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R 400.10139
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R 400.10141
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R 400.10143
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R 400.10145
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R 400.10147
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R 400.10149
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2006 Edition

R 400.10151
Source: 1992 AACS.

R 400.10153
Source: 1992 AACS.

R 400.10155
Source: 1992 AACS.

R 400.10157
Source: 1992 AACS.

R 400.10159
Source: 1992 AACS.

R 400.10161
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R 400.10163
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R 400.10165
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R 400.10167
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R 400.10169
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R 400.10171
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R 400.10173
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R 400.10175
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R 400.10177
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R 400.10179
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R 400.10181
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R 400.10183
Source: 1992 AACS.

R 400.10185
Source: 1992 AACS.

R 400.10187
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R 400.10189
Source: 1992 AACS.

R 400.10199
Source: 1992 AACS.

PART 2. DETENTION AND SHELTER CARE FACILITIES

R 400.10201
Source: 1992 AACS.

R 400.10205
Source: 1992 AACS.

R 400.10207
Source: 1992 AACS.

R 400.10208
Source: 1992 AACS.

R 400.10209
Source: 1992 AACS.

R 400.10211
Source: 1992 AACS.

PART 3. RESIDENTIAL TREATMENT FACILITIES

R 400.10301
Source: 1992 AACS.

R 400.10303
Source: 1992 AACS.

R 400.10305
Source: 1992 AACS.

R 400.10307
Source: 1992 AACS.

R 400.10309
Source: 1992 AACS.

R 400.10311
Source: 1992 AACS.

R 400.10313
Source: 1992 AACS.

R 400.10315
Source: 1992 AACS.

R 400.10317
Source: 1992 AACS.

R 400.10319
Source: 1992 AACS.

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PART 4. ENVIRONMENTAL HEALTH AND SAFETY

R 400.10401
Source: 1992 AACS.

R 400.10403
Source: 1992 AACS.

R 400.10405
Source: 1992 AACS.

R 400.10407
Source: 1992 AACS.

R 400.10409
Source: 1992 AACS.

R 400.10411
Source: 1992 AACS.

R 400.10413
Source: 1992 AACS.

R 400.10415
Source: 1992 AACS.

R 400.10417
Source: 1992 AACS.

R 400.10419
Source: 1992 AACS.

R 400.10421
Source: 1997 AACS.

PART 5. FIRE SAFETY FOR SMALL, LARGE, AND SECURE FACILITIES

R 400.10501
Source: 1992 AACS.

R 400.10503
Source: 1992 AACS.

R 400.10505
Source: 1992 AACS.

R 400.10507
Source: 1992 AACS.

R 400.10509
Source: 1992 AACS.

R 400.10511
Source: 1992 AACS.

R 400.10513
Source: 1992 AACS.

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R 400.10515
Source: 1992 AACS.

R 400.10517
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R 400.10519
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R 400.10521
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R 400.10523
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R 400.10525
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R 400.10527
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R 400.10529
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R 400.10531
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R 400.10533
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R 400.10535
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R 400.10537
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R 400.10539
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R 400.10541
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R 400.10543
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R 400.10545
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R 400.10547
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R 400.10549
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R 400.10551
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2006 Edition

R 400.10555
Source: 1992 AACS.

R 400.10557
Source: 1992 AACS.

R 400.10559
Source: 1992 AACS.

R 400.10561
Source: 1992 AACS.

R 400.10563
Source: 1992 AACS.

R 400.10565
Source: 1992 AACS.

PART 6. FIRE SAFETY FOR RESIDENTIAL GROUP HOME FACILITIES

R 400.10601
Source: 1992 AACS.

R 400.10603
Source: 1992 AACS.

R 400.10604
Source: 1992 AACS.

R 400.10605
Source: 1992 AACS.

R 400.10607
Source: 1992 AACS.

R 400.10609
Source: 1992 AACS.

R 400.10611
Source: 1992 AACS.

R 400.10613
Source: 1992 AACS.

R 400.10614
Source: 1992 AACS.

R 400.10615
Source: 1992 AACS.

R 400.10617
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R 400.10619
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R 400.10621
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2006 Edition

R 400.10623
Source: 1992 AACS.

R 400.10625
Source: 1992 AACS.

R 400.10629
Source: 1992 AACS.

R 400.10631
Source: 1992 AACS.

R 400.10633
Source: 1992 AACS.

R 400.10635
Source: 1992 AACS.

R 400.10637
Source: 1992 AACS.

R 400.10639
Source: 1992 AACS.

CHILDREN'S AND ADULT FOSTER CARE CAMPS

PART 1. GENERAL PROVISIONS

R 400.11101
Source: 1998-2000 AACS.

R 400.11102
Source: 1998-2000 AACS.

R 400.11103
Source: 1998-2000 AACS.

R 400.11105
Source: 1989 AACS.

R 400.11106
Source: 1998-2000 AACS.

R 400.11109
Source: 1998-2000 AACS.

R 400.11111
Source: 1998-2000 AACS.

R 400.11113
Source: 1998-2000 AACS.

R 400.11115
Source: 1998-2000 AACS.

R 400.11117
Source: 1998-2000 AACS.

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2006 Edition

R 400.11119
Source: 1998-2000 AACS.

R 400.11121
Source: 1998-2000 AACS.

R 400.11123
Source: 1998-2000 AACS.

R 400.11125
Source: 1998-2000 AACS.

R 400.11127
Source: 1998-2000 AACS.

R 400.11131
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R 400.11135
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R 400.11137
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R 400.11139
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R 400.11141
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R 400.11143
Source: 1998-2000 AACS.

R 400.11145
Source: 1998-2000 AACS.

R 400.11147
Source: 1998-2000 AACS.

R 400.11149
Source: 1998-2000 AACS.

R 400.11199
Source: 1984 AACS.

PART 2. FIRE SAFETY

R 400.11201
Source: 1989 AACS.

R 400.11203
Source: 1994 AACS.

R 400.11205
Source: 1994 AACS.

R 400.11207
Source: 1994 AACS.

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R 400.11209
Source: 1984 AACS.

R 400.11211
Source: 1994 AACS.

R 400.11213
Source: 1984 AACS.

R 400.11215
Source: 1994 AACS.

R 400.11216
Source: 1994 AACS.

R 400.11217
Source: 1994 AACS.

R 400.11219
Source: 1994 AACS.

R 400.11221
Source: 1994 AACS.

R 400.11223
Source: 1984 AACS.

R 400.11225
Source: 1997 AACS.

R 400.11227
Source: 1984 AACS.

PART 3. ENVIRONMENTAL HEALTH AND SAFETY

R 400.11301
Source: 1984 AACS.

R 400.11303
Source: 1998-2000 AACS.

R 400.11305
Source: 1994 AACS.

R 400.11307
Source: 1984 AACS.

R 400.11309
Source: 1984 AACS.

R 400.11311
Source: 1984 AACS.

R 400.11313
Source: 1984 AACS.

R 400.11315
Source: 1984 AACS.

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R 400.11317
Source: 1998-2000 AACS.

R 400.11319
Source: 1989 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIVISION OF CHILD WELFARE LICENSING

CHILD PLACING AGENCIES

PART 1. GENERAL PROVISIONS

R 400.12101
Source: 1998-2000 AACS.

R 400.12102
Source: 1998-2000 AACS.

R 400.12103
Source: 1998-2000 AACS.

R 400.12104
Source: 1998-2000 AACS.

R 400.12105
Source: 1998-2000 AACS.

PART 2. AGENCY SERVICES

R 400.12201
Source: 1998-2000 AACS.

R 400.12202
Source: 1998-2000 AACS.

R 400.12203
Source: 1998-2000 AACS.

R 400.12204
Source: 1998-2000 AACS.

R 400.12205
Source: 1998-2000 AACS.

R 400.12206
Source: 1998-2000 AACS.

R 400.12207
Source: 1998-2000 AACS.

R 400.12208
Source: 1998-2000 AACS.

R 400.12209

Annual Administrative Code Supplement
2006 Edition

Source: 1998-2000 AACS.

R 400.12210

Source: 1998-2000 AACS.

R 400.12211

Source: 1998-2000 AACS.

R 400.12212

Source: 1998-2000 AACS.

R 400.12213

Source: 1998-2000 AACS.

PART 3. FOSTER HOME CERTIFICATION

R 400.12301

Source: 1998-2000 AACS.

R 400.12302

Source: 1998-2000 AACS.

R 400.12303.

Source: 1998-2000 AACS.

R 400.12304.

Source: 1998-2000 AACS.

R 400.12305.

Source: 1998-2000 AACS.

R 400.12306

Source: 1998-2000 AACS.

R 400.12307

Source: 1998-2000 AACS.

R 400.12308

Source: 1998-2000 AACS.

R 400.12309

Source: 1998-2000 AACS.

R 400.12310

Source: 1998-2000 AACS.

R 400.12311

Source: 1998-2000 AACS.

R 400.12312

Source: 1998-2000 AACS.

R 400.12313

Source: 1998-2000 AACS.

R 400.12314

Source: 1998-2000 AACS.

R 400.12315

Annual Administrative Code Supplement
2006 Edition

Source: 1998-2000 AACS.

R 400.12316

Source: 1998-2000 AACS.

R 400.12317

Source: 1998-2000 AACS.

PART 4. FOSTER CARE SERVICES

R 400.12401

Source: 1998-2000 AACS.

R 400.12402

Source: 1998-2000 AACS.

R 400.12403.

Source: 1998-2000 AACS.

R 400.12404

Source: 1998-2000 AACS.

R 400.12405

Source: 1998-2000 AACS.

R 400.12406

Source: 1998-2000 AACS.

R 400.12407

Source: 1998-2000 AACS.

R 400.12408

Source: 1998-2000 AACS.

R 400.12409

Source: 1998-2000 AACS.

R 400.12410

Source: 1998-2000 AACS.

R 400.12411

Source: 1998-2000 AACS.

R 400.12412

Source: 1998-2000 AACS.

R 400.12413

Source: 1998-2000 AACS.

R 400.12414

Source: 1998-2000 AACS.

R 400.12415

Source: 1998-2000 AACS.

R 400.12416

Source: 1998-2000 AACS.

R 400.12417

Annual Administrative Code Supplement
2006 Edition

Source: 1998-2000 AACS.

R 400.12418

Source: 1998-2000 AACS.

R 400.12419

Source: 1998-2000 AACS.

R 400.12420

Source: 1998-2000 AACS.

PART 5. INDEPENDENT LIVING SERVICES

R 400.12501

Source: 1998-2000 AACS.

R 400.12502

Source: 1998-2000 AACS.

R 400.12503

Source: 1998-2000 AACS.

R 400.12504

Source: 1998-2000 AACS.

R 400.12505

Source: 1998-2000 AACS.

R 400.12506

Source: 1998-2000 AACS.

R 400.12507

Source: 1998-2000 AACS.

R 400.12508

Source: 1998-2000 AACS.

R 400.12509

Source: 1998-2000 AACS.

PART 6. ADOPTION EVALUATION SERVICES

R 400.12601

Source: 1998-2000 AACS.

R 400.12602

Source: 1998-2000 AACS.

R 400.12603

Source: 1998-2000 AACS.

R 400.12604

Source: 1998-2000 AACS.

R 400.12605

Source: 1998-2000 AACS.

R 400.12606

Source: 1998-2000 AACS.

Annual Administrative Code Supplement
2006 Edition

R 400.12607
Source: 1998-2000 AACS.

R 400.12608
Source: 1998-2000 AACS.

PART 7. ADOPTION PLACEMENT SERVICES

R 400.12701
Source: 1998-2000 AACS.

R 400.12702
Source: 1998-2000 AACS.

R 400.12703
Source: 1998-2000 AACS.

R 400.12704
Source: 1998-2000 AACS.

R 400.12705
Source: 1998-2000 AACS.

R 400.12706
Source: 1998-2000 AACS.

R 400.12707
Source: 1998-2000 AACS.

R 400.12708
Source: 1998-2000 AACS.

R 400.12709
Source: 1998-2000 AACS.

R 400.12710
Source: 1998-2000 AACS.

R 400.12711
Source: 1998-2000 AACS.

R 400.12712
Source: 1998-2000 AACS.

R 400.12713
Source: 1998-2000 AACS.

DIVISION OF ADULT FOSTER CARE LICENSING
ADULT FOSTER CARE SMALL GROUP HOMES

PART 1. GENERAL PROVISIONS

R 400.14101
Source: 1994 AACS.

R 400.14102

Annual Administrative Code Supplement
2006 Edition

Source: 1994 AACS.

R 400.14103

Source: 1994 AACS.

R 400.14104

Source: 1994 AACS.

R 400.14105

Source: 1994 AACS.

R 400.14106

Source: 1994 AACS.

R 400.14199

Source: 1994 AACS.

PART 2. PROGRAM REQUIREMENTS

R 400.14201

Source: 1994 AACS.

R 400.14202

Source: 1994 AACS.

R 400.14203

Source: 1994 AACS.

R 400.14204

Source: 1994 AACS.

R 400.14205

Source: 1994 AACS.

R 400.14206

Source: 1994 AACS.

R 400.14207

Source: 1994 AACS.

R 400.14208

Source: 1994 AACS.

R 400.14209

Source: 1994 AACS.

R 400.14210

Source: 1994 AACS.

PART 3. RESIDENT CARE, SERVICES, AND RECORDS

R 400.14301

Source: 1994 AACS.

R 400.14302

Source: 1994 AACS.

R 400.14303

Source: 1994 AACS.

Annual Administrative Code Supplement
2006 Edition

R 400.14304
Source: 1994 AACS.

R 400.14305
Source: 1994 AACS.

R 400.14306
Source: 1994 AACS.

R 400.14307
Source: 1994 AACS.

R 400.14308
Source: 1994 AACS.

R 400.14309
Source: 1994 AACS.

R 400.14310
Source: 1994 AACS.

R 400.14311
Source: 1994 AACS.

R 400.14312
Source: 1994 AACS.

R 400.14313
Source: 1994 AACS.

R 400.14314
Source: 1994 AACS.

R 400.14315
Source: 1994 AACS.

R 400.14316
Source: 1994 AACS.

R 400.14317
Source: 1994 AACS.

R 400.14318
Source: 1994 AACS.

R 400.14319
Source: 1994 AACS.

PART 4. ENVIRONMENTAL CONDITIONS

R 400.14401
Source: 1994 AACS.

R 400.14402
Source: 1994 AACS.

R 400.14403
Source: 1994 AACS.

Annual Administrative Code Supplement
2006 Edition

R 400.14404
Source: 1994 AACS.

R 400.14405
Source: 1994 AACS.

R 400.14406
Source: 1994 AACS.

R 400.14407
Source: 1994 AACS.

R 400.14408
Source: 1994 AACS.

R 400.14409
Source: 1994 AACS.

R 400.14410
Source: 1994 AACS.

R 400.14411
Source: 1994 AACS.

**PART 5. FIRE SAFETY; HOMES LICENSED OR PROPOSED TO BE LICENSED
AFTER MARCH 27, 1980**

R 400.14501
Source: 1994 AACS.

R 400.14502
Source: 1994 AACS.

R 400.14503
Source: 1994 AACS.

R 400.14504
Source: 1994 AACS.

R 400.14505
Source: 1994 AACS.

R 400.14506
Source: 1994 AACS.

R 400.14507
Source: 1994 AACS.

R 400.14508
Source: 1994 AACS.

R 400.14509
Source: 1994 AACS.

R 400.14510
Source: 1994 AACS.

R 400.14511
Source: 1994 AACS.

Annual Administrative Code Supplement
2006 Edition

R 400.14512
Source: 1994 AACS.

PART 6. FIRE SAFETY; HOMES LICENSED ON OR BEFORE MARCH 27, 1980

R 400.14601
Source: 1994 AACS.

ADULT FOSTER CARE LARGE GROUP HOMES

PART 1. GENERAL PROVISIONS

R 400.15101
Source: 1994 AACS.

R 400.15102
Source: 1994 AACS.

R 400.15103
Source: 1994 AACS.

R 400.15104
Source: 1994 AACS.

R 400.15105
Source: 1994 AACS.

R 400.15106
Source: 1994 AACS.

PART 2. PROGRAM REQUIREMENTS

R 400.15201
Source: 1994 AACS.

R 400.15202
Source: 1994 AACS.

R 400.15203
Source: 1994 AACS.

R 400.15204
Source: 1994 AACS.

R 400.15205
Source: 1994 AACS.

R 400.15206
Source: 1994 AACS.

R 400.15207
Source: 1994 AACS.

R 400.15208
Source: 1994 AACS.

R 400.15209
Source: 1994 AACS.

Annual Administrative Code Supplement
2006 Edition

R 400.15210
Source: 1994 AACS.

PART 3. RESIDENT CARE, SERVICES, AND RECORDS

R 400.15301
Source: 1994 AACS.

R 400.15302
Source: 1994 AACS.

R 400.15303
Source: 1994 AACS.

R 400.15304
Source: 1994 AACS.

R 400.15305
Source: 1994 AACS.

R 400.15306
Source: 1994 AACS.

R 400.15307
Source: 1994 AACS.

R 400.15308
Source: 1994 AACS.

R 400.15309
Source: 1994 AACS.

R 400.15310
Source: 1994 AACS.

R 400.15311
Source: 1994 AACS.

R 400.15312
Source: 1994 AACS.

R 400.15313
Source: 1994 AACS.

R 400.15314
Source: 1994 AACS.

R 400.15315
Source: 1994 AACS.

R 400.15316
Source: 1994 AACS.

R 400.15317
Source: 1994 AACS.

R 400.15318
Source: 1994 AACS.

Annual Administrative Code Supplement
2006 Edition

R 400.15319
Source: 1994 AACS.

PART 4. ENVIRONMENTAL CONDITIONS

R 400.15401
Source: 1994 AACS.

R 400.15402
Source: 1994 AACS.

R 400.15403
Source: 1994 AACS.

R 400.15404
Source: 1994 AACS.

R 400.15405
Source: 1994 AACS.

R 400.15406
Source: 1994 AACS.

R 400.15407
Source: 1994 AACS.

R 400.15408
Source: 1994 AACS.

R 400.15409
Source: 1994 AACS.

R 400.15410
Source: 1994 AACS.

R 400.15411
Source: 1994 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

BUREAU OF REGULATORY SERVICES

ADULT FOSTER CARE FACILITY LICENSING AND CHILD CARE

ORGANIZATION

CONTESTED CASE HEARINGS

R 400.16001
Source: 1998-2000 AACS.

DEPARTMENT OF STATE POLICE

STATE FIRE SAFETY BOARD

ADULT FOSTER CARE FACILITIES

Annual Administrative Code Supplement
2006 Edition

PART 1. GENERAL PROVISIONS

R 400.18101
Source: 1994 AACS.

R 400.18102
Source: 1994 AACS.

R 400.18103
Source: 1994 AACS.

R 400.18104
Source: 1994 AACS.

R 400.18105
Source: 1994 AACS.

R 400.18106
Source: 1994 AACS.

R 400.18107
Source: 1994 AACS.

R 400.18108
Source: 1994 AACS.

R 400.18109
Source: 1994 AACS.

R 400.18110
Source: 1994 AACS.

R 400.18111
Source: 1994 AACS.

PART 2. NEW SMALL AND LARGE ADULT FOSTER CARE FACILITIES

R 400.18201
Source: 1994 AACS.

R 400.18202
Source: 1994 AACS.

R 400.18203
Source: 1994 AACS.

R 400.18204
Source: 1994 AACS.

R 400.18205
Source: 1994 AACS.

R 400.18206
Source: 1994 AACS.

R 400.18207
Source: 1994 AACS.

Annual Administrative Code Supplement
2006 Edition

R 400.18208
Source: 1994 AACS.

R 400.18209
Source: 1994 AACS.

R 400.18210
Source: 1994 AACS.

R 400.18211
Source: 1994 AACS.

R 400.18212
Source: 1994 AACS.

R 400.18213
Source: 1994 AACS.

R 400.18214
Source: 1994 AACS.

R 400.18215
Source: 1994 AACS.

R 400.18216
Source: 1994 AACS.

R 400.18217
Source: 1994 AACS.

R 400.18218
Source: 1994 AACS.

R 400.18219
Source: 1994 AACS.

R 400.18220
Source: 1994 AACS.

R 400.18221
Source: 1994 AACS.

R 400.18222
Source: 1994 AACS.

R 400.18223
Source: 1994 AACS.

R 400.18224
Source: 1994 AACS.

R 400.18225
Source: 1994 AACS.

R 400.18226
Source: 1994 AACS.

PART 3. EXISTING SMALL AND LARGE ADULT FOSTER CARE FACILITIES LICENSED ON OR BEFORE

Annual Administrative Code Supplement
2006 Edition

**MARCH 27, 1980; EXISTING SMALL AND LARGE ADULT FOSTER CARE FACILITIES LICENSED ON OR
BEFORE MARCH 27, 1980, AND RELICENSED BEFORE JULY 2, 1991**

R 400.18301
Source: 1994 AACS.

R 400.18302
Source: 1994 AACS.

R 400.18303
Source: 1994 AACS.

R 400.18304
Source: 1994 AACS.

R 400.18305
Source: 1994 AACS.

R 400.18306
Source: 1994 AACS.

R 400.18307
Source: 1994 AACS.

R 400.18308
Source: 1994 AACS.

R 400.18309
Source: 1994 AACS.

R 400.18310
Source: 1994 AACS.

R 400.18311
Source: 1994 AACS.

R 400.18312
Source: 1994 AACS.

R 400.18313
Source: 1994 AACS.

R 400.18314
Source: 1997 AACS.

**PART 4. EXISTING SMALL AND LARGE ADULT FOSTER CARE FACILITIES LICENSED AFTER MARCH
27, 1980**

R 400.18401
Source: 1994 AACS.

R 400.18402
Source: 1994 AACS.

R 400.18403
Source: 1994 AACS.

R 400.18404

Annual Administrative Code Supplement
2006 Edition

Source: 1994 AACS.

R 400.18405

Source: 1994 AACS.

R 400.18406

Source: 1994 AACS.

R 400.18407

Source: 1994 AACS.

R 400.18408

Source: 1994 AACS.

R 400.18409

Source: 1994 AACS.

R 400.18410

Source: 1994 AACS.

R 400.18411

Source: 1994 AACS.

R 400.18412

Source: 1994 AACS.

R 400.18413

Source: 1994 AACS.

R 400.18414

Source: 1994 AACS.

R 400.18415

Source: 1994 AACS.

R 400.18416

Source: 1994 AACS.

R 400.18417

Source: 1994 AACS.

R 400.18418

Source: 1994 AACS.

R 400.18419

Source: 1994 AACS.

R 400.18420

Source: 1994 AACS.

R 400.18421

Source: 1994 AACS.

R 400.18422

Source: 1994 AACS.

R 400.18423

Source: 1994 AACS.

Annual Administrative Code Supplement
2006 Edition

R 400.18424
Source: 1994 AACS.

R 400.18425
Source: 1994 AACS.

PART 5. NEW ADULT FOSTER CARE CONGREGATE FACILITIES

R 400.18501
Source: 1994 AACS.

R 400.18502
Source: 1994 AACS.

PART 6. EXISTING ADULT FOSTER CARE CONGREGATE FACILITIES

R 400.18601
Source: 1994 AACS.

R 400.18602
Source: 1994 AACS.

R 400.18603
Source: 1994 AACS.

R 400.18604
Source: 1994 AACS.

R 400.18605
Source: 1994 AACS.

R 400.18606
Source: 1994 AACS.

R 400.18607
Source: 1994 AACS.

R 400.18608
Source: 1994 AACS.

R 400.18609
Source: 1994 AACS.

R 400.18610
Source: 1994 AACS.

R 400.18611
Source: 1994 AACS.

R 400.18612
Source: 1994 AACS.

R 400.18613
Source: 1994 AACS.

R 400.18614
Source: 1994 AACS.

Annual Administrative Code Supplement
2006 Edition

R 400.18615
Source: 1994 AACS.

R 400.18616
Source: 1994 AACS.

R 400.18617
Source: 1994 AACS.

R 400.18618
Source: 1994 AACS.

R 400.18619
Source: 1994 AACS.

R 400.18620
Source: 1994 AACS.

R 400.18621
Source: 1994 AACS.

R 400.18622
Source: 1994 AACS.

R 400.18623
Source: 1994 AACS.

R 400.18624
Source: 1994 AACS.

R 400.18625
Source: 1994 AACS.

R 400.18626
Source: 1994 AACS.

R 400.18627
Source: 1994 AACS.

R 400.18628
Source: 1994 AACS.

R 400.18629
Source: 1994 AACS.

R 400.18630
Source: 1994 AACS.

R 400.18631
Source: 1994 AACS.

R 400.18632
Source: 1994 AACS.

R 400.18633
Source: 1994 AACS.

R 400.18634
Source: 1994 AACS.

Annual Administrative Code Supplement
2006 Edition

R 400.18635
Source: 1994 AACS.

R 400.18636
Source: 1994 AACS.

R 400.18637
Source: 1994 AACS.

R 400.18638
Source: 1994 AACS.

R 400.18639
Source: 1994 AACS.

R 400.18640
Source: 1994 AACS.

R 400.18641
Source: 1994 AACS.

R 400.18642
Source: 1994 AACS.

R 400.18643
Source: 1994 AACS.

R 400.18644
Source: 1994 AACS.

R 400.18645
Source: 1994 AACS.

R 400.18646
Source: 1994 AACS.

R 400.18647
Source: 1994 AACS.

R 400.18648
Source: 1994 AACS.

R 400.18649
Source: 1994 AACS.

R 400.18650
Source: 1994 AACS.

R 400.18651
Source: 1994 AACS.

R 400.18652
Source: 1994 AACS.

R 400.18653
Source: 1994 AACS.

R 400.18654
Source: 1994 AACS.

Annual Administrative Code Supplement
2006 Edition

R 400.18655
Source: 1994 AACS.

R 400.18656
Source: 1994 AACS.

R 400.18657
Source: 1994 AACS.

R 400.18658
Source: 1994 AACS.

R 400.18659
Source: 1994 AACS.

**PART 7. AMENDMENTS TO THE STANDARD FOR THE INSTALLATION, MAINTENANCE,
AND USE OF HOUSEHOLD FIRE WARNING EQUIPMENT (NFPA 74, 1989 EDITION,
NATIONAL FIRE PROTECTION ASSOCIATION)**

R 400.18701
Source: 1994 AACS.

R 400.18702
Source: 1994 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
BUREAU OF COMMUNITY SERVICES
COMMUNITY ACTION PROGRAMS

PART 1. GENERAL PROVISIONS

R 400.19101
Source: 1990 AACS.

R 408.19002
Source: 1998-2000 AACS.

R 400.19103
Source: 1990 AACS.

R 400.19104
Source: 1990 AACS.

R 400.19105
Source: 1990 AACS.

R 400.19106
Source: 1990 AACS.

PART 2. BUREAU OF COMMUNITY SERVICES

R 400.19201
Source: 1990 AACS.

R 400.19202
Source: 1990 AACS.

Annual Administrative Code Supplement
2006 Edition

R 400.19203
Source: 1990 AACS.

R 400.19204
Source: 1990 AACS.

R 400.19205
Source: 1990 AACS.

R 400.19206
Source: 1990 AACS.

R 400.19207
Source: 1990 AACS.

R 400.19208
Source: 1990 AACS.

R 400.19209
Source: 1990 AACS.

PART 3. COMMISSION OF ECONOMIC AND SOCIAL OPPORTUNITY

R 400.19301
Source: 1990 AACS.

PART 4. COMMUNITY ACTION AGENCIES

R 400.19401
Source: 1990 AACS.

R 400.19402
Source: 1990 AACS.

R 400.19403
Source: 1990 AACS.

R 400.19404
Source: 1990 AACS.

R 400.19405
Source: 1990 AACS.

R 400.19406
Source: 1990 AACS.

R 400.19407
Source: 1990 AACS.

R 400.19408
Source: 1990 AACS.

R 400.19409
Source: 1990 AACS.

R 400.19410
Source: 1990 AACS.

Annual Administrative Code Supplement
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R 400.19411
Source: 1990 AACS.

R 400.19412
Source: 1990 AACS.

R 400.19413
Source: 1990 AACS.

R 400.19414
Source: 1990 AACS.

R 400.19415
Source: 1990 AACS.

PART 5. FINANCIAL REQUIREMENTS

R 400.19501
Source: 1990 AACS.

R 400.19502
Source: 1990 AACS.

R 400.19503
Source: 1990 AACS.

R 400.19504
Source: 1990 AACS.

R 400.19505
Source: 1990 AACS.

R 400.19506
Source: 1990 AACS.

R 400.19507
Source: 1990 AACS.

R 400.19508
Source: 1990 AACS.

R 400.19509
Source: 1990 AACS.

R 400.19510
Source: 1990 AACS.

R 400.19511
Source: 1990 AACS.

R 400.19512
Source: 1990 AACS.

R 400.19513
Source: 1990 AACS.

R 400.19514
Source: 1990 AACS.

Annual Administrative Code Supplement
2006 Edition

R 400.19515
Source: 1990 AACS.

PART 6. GRANTEE APPEALS AND APPEALS HEARINGS

R 400.19601
Source: 1990 AACS.

R 400.19602
Source: 1990 AACS.

R 400.19603
Source: 1990 AACS.

R 400.19604
Source: 1990 AACS.

R 400.19605
Source: 1990 AACS.

R 400.19606
Source: 1990 AACS.

DEPARTMENT OF MANAGEMENT AND BUDGET
OFFICE OF SERVICES TO THE AGING
STATE AND LOCAL PROGRAMS ON AGING

PART 1. GENERAL PROVISIONS

R 400.20101
Source: 1983 AACS.

R 400.20102
Source: 1983 AACS.

R 400.20103
Source: 1983 AACS.

R 400.20104
Source: 1983 AACS.

R 400.20105
Source: 1983 AACS.

R 400.20106
Source: 1983 AACS.

R 400.20107
Source: 1983 AACS.

R 400.20108
Source: 1983 AACS.

R 400.20109
Source: 1983 AACS.

Annual Administrative Code Supplement
2006 Edition

PART 2. COMMISSION ON SERVICES TO THE AGING

R 400.20201
Source: 1983 AACS.

R 400.20202
Source: 1983 AACS.

R 400.20203
Source: 1983 AACS.

R 400.20204
Source: 1983 AACS.

R 400.20205
Source: 1983 AACS.

R 400.20206
Source: 1983 AACS.

R 400.20207
Source: 1983 AACS.

PART 3. OFFICE ON SERVICES TO THE AGING

R 400.20301
Source: 1983 AACS.

R 400.20302
Source: 1983 AACS.

R 400.20303
Source: 1983 AACS.

R 400.20304
Source: 1983 AACS.

R 400.20305
Source: 1983 AACS.

R 400.20306
Source: 1983 AACS.

R 400.20307
Source: 1983 AACS.

R 400.20308
Source: 1983 AACS.

R 400.20309
Source: 1983 AACS.

PART 4. AREA AGENCIES ON AGING

R 400.20401
Source: 1983 AACS.

R 400.20402

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2006 Edition

Source: 1983 AACS.

R 400.20403

Source: 1983 AACS.

R 400.20404

Source: 1983 AACS.

R 400.20405

Source: 1983 AACS.

R 400.20406

Source: 1983 AACS.

R 400.20407

Source: 1983 AACS.

PART 5. FINANCIAL REQUIREMENTS

R 400.20501

Source: 1983 AACS.

R 400.20502

Source: 1983 AACS.

R 400.20503

Source: 1983 AACS.

R 400.20504

Source: 1983 AACS.

R 400.20505

Source: 1983 AACS.

R 400.20506

Source: 1983 AACS.

R 400.20507

Source: 1983 AACS.

R 400.20508

Source: 1983 AACS.

R 400.20509

Source: 1983 AACS.

R 400.20510

Source: 1983 AACS.

R 400.20511

Source: 1983 AACS.

R 400.20512

Source: 1983 AACS.

R 400.20513

Source: 1983 AACS.

PART 6. APPEALS AND APPEALS HEARINGS

Annual Administrative Code Supplement
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R 400.20601
Source: 1983 AACS.

R 400.20602
Source: 1983 AACS.

R 400.20603
Source: 1983 AACS.

R 400.20604
Source: 1983 AACS.

R 400.20605
Source: 1983 AACS.

R 400.20606
Source: 1983 AACS.

R 400.20607
Source: 1983 AACS.